

TOWN OF WESTFIELD
&
WASHINGTON TOWNSHIP
ZONING ORDINANCE



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Title 16 - Land Use Controls
Zoning Ordinance
Ordinance Number 1977-202 As Amended

An ordinance to repeal the zoning ordinance of the Town of Westfield, Indiana, Ordinance Number 1965-1, as amended, the Improvement Location Permit Ordinance of the Town of Westfield, Indiana, Ordinance Number 1965-2, as amended, and the Subdivision Control Ordinance of the Town of Westfield, Indiana, Ordinance Number 1965-3, as amended, passed by the Board of Trustees of the Town of Westfield, Indiana, Hamilton County, Indiana, in June 1965, and to enact a new Comprehensive Zoning Ordinance concerning minimum standards for physical improvements to land, the regulations and guidelines for administration, standards to administer violations of the ordinance, creating a Board of Zoning Appeals, providing for court review, and specific subdivision controls. Such new ordinance shall be known as the Westfield-Washington Township Comprehensive Zoning Ordinance of 1977 as most recently amended by Ordinance Number 95-8 and shall read as follows:

Be it ordained by the Board of Trustees of the Town of Westfield, Indiana, in accordance with IC 18-7-5 and IC 18-7-6 [IC 36-7-4] and all acts amendatory and supplemental thereto.

WC § 16.04.010 General Provisions

- A. Short Title - This chapter, and ordinances supplemental or amendatory thereto shall be known, and may be cited hereafter as the “Comprehensive Zoning Ordinance of Westfield-Washington Township, 1977 as amended”.
- B. Interpretation - In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, morals, convenience and general welfare of the public.
- C. Non-Interference With Greater Restrictions Otherwise Imposed - It is not intended by this chapter to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; nor any chapters, rules, regulations or permits previously adopted or issued, or which shall be adopted or issued and which are not in conflict with any of the provisions of this chapter; except that, where this chapter imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces or greater lot area per family, than are required or imposed by such easements, covenants, or agreements between parties, or by such chapter, rules, regulations or permits, the provisions of this chapter shall control.
- D. Determination and Interpretation of District Boundaries
 - 1. In determining the boundaries of districts, and establishing the provisions applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adopted, and the conservation of property values throughout the township.
 - 2. Where uncertainty exists as to the exact boundaries of any district as shown on the zone map, the following rules shall apply:
 - a. In areas not subdivided, or where a district boundary subdivides a lot, the exact location of the boundary shall be determined by use of the scale of the official aerial maps prepared by the county auditor.
 - b. In the case of further uncertainty, the Commission shall interpret the intent of the zone map as to the location of the boundary in question.
- E. Procedure Relating to Annexed or Vacated Areas - Territory which may hereafter be annexed to the Town shall remain as zoned, unless changed by amendment to this chapter.

Whenever any right-of-way or other similar area is vacated by proper authority, the districts adjoining each side of such right-of-way or similar area shall be extended automatically to the center of such vacation and all areas included in the vacation shall then and thenceforth be subject to all appropriate provisions of the extended districts. In the event of a partial

vacation, the adjoining district, or district nearest the portion vacated, shall be extended automatically to include all of the vacated area.

F. Use

1. No building or land shall be used and no building shall be erected, reconstructed or structurally altered, which is arranged, intended or designed to be used for any purpose other than a use which is permitted and specified in a district in which such a building or land is located.
2. Notwithstanding the provisions of F.1. of this section, lands which have been rezoned from AG-SF 1 to a more dense single family district shall be permitted to continue use of the land for agricultural purposes as permitted under AG-SF 1 until such time as the land is platted.

G. Height - No building shall be erected, reconstructed or structurally altered to exceed in height the limits established and specified for the use of the district in which such building is located except as otherwise provided in Article 1, Section XI.

H. Yard, Lot Area and Size of Building - No building shall be erected, reconstructed or structurally altered in any manner which will encroach upon, or reduce in any manner, the yards, lot area per family, ground floor area of dwellings, or lot coverage provisions established and specified for the use and the district in which such building is located.

I. Lots - Every building hereafter erected shall be located on a lot. In no case shall there be more than one principal building used for residential purposes, and its accessory buildings, located on one lot, except as provided for multi-family type buildings.

J. Parking Space, Loading and Unloading Berths - For each building hereafter erected and for certain other uses of land, parking spaces for motor vehicles and loading and unloading berths as specified for the use to which such building or land is to be devoted shall be provided, except in historical district, to encourage the establishment of adequate parking spaces to meet the needs of a mobile society.

K. Filing of Fees - Applications and petitions filed pursuant to the provisions of this chapter shall be accompanied by the filing fees hereinafter specified in Figure 1.

L. Remedies

1. The Commission, the Board, the Building Commissioner, or any designated enforcement official or any person or persons, firm or corporation, jointly or severally aggrieved, may institute a suit of injunction in the circuit court of Hamilton County to restrain an individual or a government unit from violating the provisions of this chapter.

2. The Commission or the Board may also institute a suit for mandatory injunction directing any individual, a corporation or a governmental unit to remove a structure erected in violation of the provisions of this chapter.
 3. Any building, erected, raised, or converted, or land or premises used in violation of any provisions of this chapter or the requirements thereof, is hereby declared to be a common nuisance and as such may be abated in such manner as nuisances are now or may hereafter be abated under existing law.
 4. As an additional remedy to each of the above identified plaintiffs, if the plaintiff prevails the court may allow costs, expenses and reasonable attorney fees in any judgment so rendered.
- M. Amendments - All amendments to this chapter shall be in conformance with the provisions of IC 36-7-4 and all acts amendatory thereto.
- N. Invalidity of Portions - Should any section or provisions of the chapter be declared, by a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of the chapter as a whole, or any portion thereof, other than the portion so declared to be invalid.
- O. Farms Exempt - Farm structures constructed in the normal course of agricultural business for the support of individual farms shall not be subject to securing an improvement location permit except if any structure requires major plumbing, heating, sewage or electrical installations such structure will be subject to the permit fees contained in the chapter. If any farm structure, located in a district other than an area zoned GB, EI or OI, is used as an ancillary business such as greenhouses, wholesale or retail, or a feed mixing or grinding operation for a handling or service fee then a special exception must be authorized by the board prior to beginning construction or operating the ancillary business.
- P. Public Utility Installations
1. Structures and land used for public utility installations, as identified in Figure 2., while so used, shall be affected by the provisions for this chapter.
 2. All utility structures including substations shall be effectively landscaped and shall have plans for such landscaping, lighting, traffic control, building heights and setbacks approved by the Plan Commission.
- Q. Mineral Extraction Exempt - Nothing herein shall prevent, outside or urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienation thereof. For the purpose of this paragraph, urban area shall include any land, or lots used for residential purposes where there are eight or more residences within one quarter mile square area and such other lands or lots as have been or are planned for residential areas contiguous to incorporated cities or towns.

- R. Business Development Exempt - Any parcel of land which is divided into sites, tracts, or lots for accommodating business or industry shall not be subject to the requirements and restrictions contained in the subdivision control sections of this chapter.
- S. Minimum Width for Housing - All single family or duplex homes shall be required to be constructed with the main body of the residence being 23 feet or more wide.
- T. Variance Approval by Plan Commission - Any petitioner who receives a variance for the usage of land by the Board of Zoning Appeals that would permit the use or construction of business, industrial or office facilities, other than a special exception that has had plans previously approved by the Plan Commission, must also have their plans approved by the Plan Commission.
- U. Road Frontage Calculation - Road frontage shall be determined by the measurement of the distance between property lines at the right-of-way which has been dedicated and accepted by the Town of Westfield or Hamilton County.

V. Procedural Requirements

- 1. The Plan Commission shall review and approve site development plans for all churches, schools, and utilities in all zoning districts. The Community Development Department staff shall have the authority to require other uses to obtain Plan Commission approval due to the nature and complexity of the proposed project. This process will ensure adherence to developmental standards established in the Westfield - Washington Township Comprehensive Zoning Ordinance.
- 2. Prior to Plan Commission review, all proposed churches, schools, utilities, and other uses determined by the Community Development Department staff shall be required to complete a review by the Westfield Technical Advisory Committee.

W. Commitments Required by the Plan Commission

- 1. Commitments.

The Plan Commission may, when in the discretion of the Plan Commission it is deemed necessary to: (i) assure the compatibility of a proposed development with surrounding properties; or (ii) to minimize the potential for the occurrence of detrimental affects from any attributes of a proposed development on surrounding properties, require or permit the owner of a parcel of property to make written commitments concerning the use or development of the subject property in connection with a Development Plan Approval as provided for in this Ordinance, or in connection with recommending approval of a zone map change to any zoning district classification contained in this Ordinance to the Town Council as a condition of development.

The commitments shall be reduced to writing in recordable form and signed by the owner(s) of the real estate. The commitments shall be in effect for: (i) as long as the real estate to which they apply remains zoned to the classification to which the real estate was zoned when the commitments were made; or (ii) modified or terminated as provided below. The commitments shall authorize their recording by Staff in the Office of the Recorder of Hamilton County, Indiana upon the final approval of a Development Plan by the Plan Commission or the final approval of the zone map change by the Town Council. Following the recording of the commitments, Staff shall return the original recorded commitments to petitioner and shall retain a copy of the recorded commitments in its file.

The Plan Commission, Owners of all parcels of ground adjoining the real estate and all owners of real estate within the area included in the petition who were not petitioners for approval, and other specially affected persons designated in such commitments shall be entitled to enforce such commitments pursuant to Indiana Code 36-7-4-1015 or as otherwise provided by applicable law.

The commitments required by the Plan Commission shall be in substantially the form set forth in Exhibit "A" of this Ordinance.

2. Modification of Commitments by the Plan Commission.

Commitments required or permitted by the Plan Commission may be modified or terminated by a decision of the Plan Commission, made at a public hearing after notice to adjoining owners has been given pursuant to the Rules of Procedure of the Plan Commission. Any modification or termination of the commitments shall not be effective until: (i) reduced to writing; (ii) approved by the Plan Commission; (iii) executed and notarized by the present owner(s) of the real estate; and, (iv) recorded in the Office of the Recorder of Hamilton County, Indiana.

The modification or termination of commitments shall be in substantially the form set forth in Exhibit "B" of this Ordinance.

X. Rail Corridors - The following regulations affecting the Alternative Transportation Plan (trails) shall apply to all property that abuts a railroad property line, current or former:

1. The railroad property lines used for platting purposes shall be those boundaries in place as of January 2001 according to Hamilton County mapping records.
2. The Westfield Community Development Department will work with owners of property that is adjacent to a rail line should any question of development arise. Any new development proposal that is adjacent to a rail line and requires an Improvement Location Permit or Development Plan Review shall be brought to the attention of the Director, who will address this section of the ordinance with the developer. The Director shall then inform the Town Manager of said development.

3. For any activity that would require an Improvement Location Permit, the Westfield Community Development Department shall work together with owners of property that is adjacent to a rail line regarding set back, landscaping and any other development standards deemed appropriate for the future development of the alternative transportation system and for the property owner. For new development proposals that are adjacent to a rail line and require an Improvement Location Permit or Development Plan Review, the Director will work with the developer to determine how the rail line will be used regarding set back, landscaping and any other development standards deemed appropriate by the Westfield Community Development Department.
4. The Town will work with any rail line property owner that can show best title as determined by a court of law with the intent of protecting the rail line right-of-way for the use as presented in the Alternative Transportation Plan in a way that is beneficial to all.
5. Any agreement must be approved by the Council and incorporated into the Town's plan approval process.

Y. Preexisting Nonconforming Lots, Structures, and Uses - Lots, structures, and the use of such that were both in existence and in compliance with all land use and other laws on the date of passage of the Westfield Washington Township Zoning Ordinance (December 20, 1977) and further, that do not conform to the regulations set forth in this ordinance, shall be deemed to be legal, pre-existing nonconforming uses that may be continued subject to the following provisions:

1. Nonconforming Lots of Record - All lots legally existing prior to December 20, 1977, may be used as permitted in the zoning district in which they are located, provided that:
 - a. The holder of said parcel does not own sufficient adjacent land to enable the parcel to conform to the dimensional and acreage requirements of this Ordinance,
 - b. The lot width is no less than 100 feet
 - c. The lot acreage is no less than 1 acre.
2. Nonconforming Structures of Record: Expansion or enlargement of a structure existing prior to December 20, 1977 shall be permitted provided that the enlargement or expansion of the structure does not further increase the nonconformity.
3. Nonconforming Uses of Record: The continued operation of a nonconforming use existing prior to December 20, 1977 shall be permitted provided that the level of intensity and/or nonconformity is not increased.
4. Termination of Nonconforming Status.
 - a. Any land, structure, or land and structure in combination, where a legal, pre-existing nonconforming use is replaced by a permitted use, may thereafter only be put to a permitted use and the nonconforming use may not thereafter be resumed.
 - b. When a legal, pre-existing nonconforming use of land, structure, or land and structure in combination, is discontinued or abandoned for six (6) consecutive months, the land, structure, or land and structure in combination, may thereafter only be put to a permitted use and the nonconforming use may not thereafter be resumed.

- c. Where legal nonconforming use status applies to a structure and lot in combination, deliberate removal or destruction of the structure shall eliminate the legal nonconforming status of the land.
- 5. Transferability: Any legal, pre-existing nonconforming use shall continue until or unless terminated as described above. Such use may be sold, inherited, or otherwise transferred, provided the use, land, and structure (if any) remain in compliance with the preexisting nonconforming regulations described herein.
- 6. Zoning Amendments: These provisions apply in the same manner to a use which may become a nonconforming use as a result of an amendment to the Westfield Washington Township Zoning Ordinance.

EXHIBIT "A"

NOTE: The Westfield - Washington Township Zoning Ordinance, requires the use of this form in recording commitments made with respect to Development Plan Approvals, Zone Map Changes or Planned Unit Developments in accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615.

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A DEVELOPMENT PLAN APPROVAL, ZONE MAP CHANGE OR PLANNED UNIT DEVELOPMENT REQUIRED BY THE WESTFIELD - WASHINGTON TOWNSHIP ZONING ORDINANCE

In accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615, the Owner of the real estate located in the Town of Westfield, Hamilton County, Indiana or Washington Township, Hamilton County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION:

STATEMENT OF COMMITMENTS:

- 1.
- 2.
- 3.

These COMMITMENTS shall run with the land, be binding on the Owner of the above-described real estate, subsequent owners of the above-described real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated by a decision of the Westfield - Washington Township Plan Commission made at a public hearing after proper notice has been given.

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

COMMITMENTS contained in this instrument shall be effective upon the approval of petition # _____ pursuant to the Westfield - Washington Township Zoning Ordinance, and shall continue in effect until modified or terminated by the Westfield - Washington Township Plan Commission.

These COMMITMENTS may be enforced jointly or severally by:

1. The Westfield - Washington Township Plan Commission;
2. Owners of all parcels of ground adjoining the real estate and all owners of real estate within the area included in the petition who were not petitioners for approval; and
3. _____

The undersigned hereby authorizes the Westfield - Washington Township Plan Commission to record this Commitment in the Office of the Recorder of Hamilton County, Indiana, upon final approval of petition # _____.

IN WITNESS WHEREOF, Owner has executed this instrument this ____ day of _____, _____.

(Individual Owner)

Signature _____ (Seal)

Signature _____ (Seal)

Printed _____

Printed _____

(Organization Owner)

By _____

Printed _____

Title _____

(Individual Acknowledgment)

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____, Owner(s) of the real estate described above who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this _____ day of _____, _____.

Signature _____

Printed _____

County of Residence _____

My Commission expires: _____

(Organization Acknowledgment)

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____, the _____ of _____, a(n) _____, Owner(s) of the real estate described above who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this _____ day of _____, _____.

Signature _____

Printed _____

County of Residence _____

My Commission expires: _____

This instrument was prepared by _____.

EXHIBIT "B"

NOTE: The Westfield - Washington Township Zoning Ordinance requires the use of this form in recording commitment modification(s) or termination(s) with respect to a Development Plan Approval, Zone Map Change or Planned Unit Development in accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615.

**COMMITMENTS MODIFYING OR TERMINATING EXISTING COMMITMENTS
CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN
CONNECTION WITH A DEVELOPMENT PLAN APPROVAL, ZONE MAP
CHANGE OR PLANNED UNIT DEVELOPMENT.**

In accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615, the Owner of the real estate located in Town of Westfield, Hamilton County, Indiana or Washington Township, Hamilton County, Indiana, which is described below, makes the following modification(s) or termination(s) of commitment(s) concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION:

STATEMENT OF MODIFICATION OR TERMINATION OF COMMITMENTS:

- 1.
- 2.
- 3.

These MODIFICATION OR TERMINATION OF COMMITMENTS shall run with the land, be binding on the Owner of the above-referenced real estate, subsequent owners of the above-referenced real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated by a decision of the Westfield - Washington Township Plan Commission made at a public hearing after proper notice has been given.

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

MODIFICATION OR TERMINATION OF COMMITMENTS contained in this instrument shall be effective upon adoption of modification or termination approved by the Westfield - Washington Township Plan Commission in petition # _____.

These COMMITMENTS may be enforced jointly or severally by:

1. The Westfield - Washington Township Plan Commission;
2. Owners of all parcels of ground adjoining the real estate and all owners of real estate within the area included in the petition who were not petitioners for approval; and

3. _____

The undersigned hereby authorizes the Westfield - Washington Township Plan Commission to record this MODIFICATION OR TERMINATION OF COMMITMENTS in the Office of the Recorder of Hamilton County, Indiana, upon final approval petition # _____ by the Westfield - Washington Township Plan Commission.

IN WITNESS WHEREOF, Owner has executed this instrument this ____ day of _____, _____.

(Individual Owner)

Signature _____ (Seal)

Signature _____ (Seal)

Printed _____

Printed _____

(Organization Owner)

By _____

Printed _____

Title _____

(Individual Acknowledgment)

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____, Owner(s) of the real estate described above who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this _____ day of _____, _____.

Signature _____

Printed _____

County of Residence _____

My Commission expires: _____

(Organization Acknowledgment)

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____, the _____ of _____, a(n) _____, Owner(s) of the real estate described above who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this _____ day of _____, _____.

Signature _____

Printed _____

County of Residence _____

My Commission expires: _____

This instrument was prepared by _____.

WC § 16.04.020 Establishment of Districts

The territory within the jurisdiction of the Westfield-Washington Township Plan Commission is hereby classified and divided into the following districts:

District Designation	Type of District
AG-SF 1	Agriculture-Single Family Rural
AG-SF 1-I	Agriculture-Single Family Westfield
SF – 1	Single Family large lot with public sanitary sewer facilities
SF – A	Single Family attached units with public water and sewer facilities
SF 2	Single Family low density with public sanitary sewer facilities
SF 3	Single Family medium density with public sanitary sewer facilities
SF 4	Single Family high density with public sanitary sewer facilities and water
SF 5	Single Family high density for unincorporated towns with recorded platted lots with or without public sanitary sewer facilities
MF 1	Multi-Family low density with public sanitary sewer and water facilities
MF 2	Multi-Family medium density with public sanitary sewer and water facilities
GO	General Offices District
GO-PD	General Office - Planned Development
LB	Local and Neighborhood Business
LB-H	Local Business - Historical
GB-PD	General Business-Planned Development
SB-PD	Special Business-Planned Development for local and general business
EI	Enclosed Industrial
EI-PD	Enclosed Industrial - Planned Development
OI	Open Industrial
OI-PD	Open Industrial - Planned Development
FPD	Floodplain District

Zoning Maps - The official Zoning Maps are the aerial real property maps of the Township and incorporated and unincorporated areas as prepared by the Hamilton County Auditor's Office - Map Division. Such maps designate the respective zoning districts in accordance with this chapter. In addition, detailed maps of the incorporated and unincorporated areas are also designated as the official maps including special maps for floodplain districts as prepared by the Indiana State Department of Natural Resources. The following maps are identified and become apart of this chapter:

- Detailed Zoning Map A - East of Ditch Road
- Detailed Zoning Map B - West of Ditch Road
- Floodplain Districts for Township
- Thoroughfare Maps - Designating Expressways, Primary Arterials, Secondary Arterials, Collectors, and Local Roads and Streets

WC 16.04.025 Thoroughfare Plan

The following appendices are hereby declared to be a part of this Article:

Appendix A. Westfield Thoroughfare Plan

The Westfield Thoroughfare Plan shall be as established by annual resolution of the Town Council of the Town of Westfield. Such Westfield Thoroughfare Plan shall be available for review in the office of the Town Clerk and in the office of the Community Development Department.

WC § 16.04.030 Residential Districts

A. General Requirements - Provisions for Residential Uses are as Follows:

1. Partial use of alley for yard: One-half of an alley abutting the rear or the side of a lot may be included in the required rear yard or side yard, respectively, if the alley has not been developed for the carrying of traffic.
2. Accessory buildings and uses:
 - a) Accessory buildings are permitted in all districts, but not prior to the erection of the principal building.
 - b) Accessory uses such as public utility installations, walks, driveways, curbs, retaining walls, mail boxes, name plates, lamp posts, bird baths and structures of a like nature are permitted in any required front, side or rear yard, and with the issuance of a permit as may be required.
 - c) Accessories such as large ground microwave antenna dishes are not permitted in front or side yards; however, a satellite receiver antenna which is two feet in diameter or less may be installed in any location in accordance with the provisions of IC 36-7-4-201.1.
 - d) Windmills for the generating of electric power are not permitted in any residential district except AG-SF 1 without receiving approval as a special exception.
3. Building Lines:
 - a) Where 25 percent or more of the lots in a block frontage are occupied by buildings the average setback of such buildings determine the location of the building line for the block frontage in lieu of the setback lines contained in this chapter.
 - b) Building lines established in a recorded subdivision shall establish the setback of buildings in such subdivisions, except when such building lines may be less restrictive than provided in this chapter.
 - c) On all lots a front building setback line is required on each street frontage.
4. Building Height: In the single family districts limiting building height to 25 feet, a dwelling may be increased in height not to exceed 35 feet, provided that both side yards are increased an additional foot for each foot such building exceeds 25 feet in height.

B. AG-SF1 – Agriculture/Single-Family 1 - The purposes of this district are to accommodate agricultural land uses and large-lot single-family residential land uses.

1. Permitted Uses -

- Accessory buildings as related to agriculture or large lot single family residential use
- Cemeteries
- Churches
- Child care home - in accordance with IC 36-7-4-1108
- Farms and farm buildings for livestock and crops
- Fire stations
- Golf courses
- Nurseries, greenhouses, truck gardens, farms, or related products produced and sold on site
- Public Parks
- Public and private camps
- Residential facility for mentally ill - in accordance with IC 12-28-4-7
- Schools - public or private - without dormitory accommodations
- Signs as permitted by sign ordinance
- Single family dwellings on large lots
- Stables (on lots of 3 acres or more with a minimum of 200 foot setback from any adjoining property line)
- Temporary buildings for construction purposes for a period not to exceed such construction
- Utilities - all utilities regulated by the Indiana Utility Regulatory Commission or a Municipal governing body

2. Special Exceptions -

- Airports and landing fields
- Cemeteries - pet
- Convents, monasteries, theological schools rectories and parish houses
- Fraternities and lodges
- Heliports
- Lake developments - recreational
- Large animal hospitals
- Private clubs and lodges
- Public or private schools with dormitories
- Radio, facsimile, TV, micro-wave towers
- Raising animals for biological purposes
- Raising animals for furs or pets
- Riding stables
- Zoos

3. Permitted Home Occupations -

- Art Studio
- Beauty shop - one chair operated by a resident
- Business conducted entirely by mail
- Dressmaking
- Home garage sales not to exceed 7 days per year
- Homebound schools for 12 or less full-time or part-time children including residents of the home.
- Personal motor vehicle sales not to exceed 2 vehicles per year.
- Professional office of a clergyman, lawyer, architect, accountant, or counselor
- Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling
- Teaching – such as musical instruments or dancing
- Typing or other office services

Permitted home occupations shall not include the employment of a person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Minimum Lot Area – three (3) acres

5. Minimum Lot Frontage on Road – 250 feet

6. Minimum Setback Requirements –

- a. Front Yard – 100 feet: Expressways, Primary and Secondary Arterials
80 feet: on all other roads

- b. Side Yard – 30 feet

- c. Rear Yard – 30 feet

- d. Minimum Lot Width at Building Line – 100 feet

7. Maximum Building Height – not to exceed two and one-half (2 ½) stories or 35 feet, whichever is lower.

8. Minimum single-family ground level square footage, exclusive of porches, terraces, and garages -
 - a. Single story - 1350 square feet
 - b. Two story - 800 square feet
 - c. Tri-level - 800 square feet (basement & 1st level)
 - d. Story and one-half - 800 square feet
 9. Parking - Off-street parking shall be provided in accordance with provisions set forth in WC 16.04.120, Off-Street Loading and Parking.
 10. A subdivision, as defined in this ordinance, shall not be permitted in this district
 11. For purposes of determining what portion of any parcel shall be classified for zoning purposes as agriculture and exempt from property tax liability under IC 33-4-3-4.1, any parcel larger than three (3) acres in size with livestock or crops located on a portion of the parcel and within the AG-SF1 district shall be classified as agriculture.
- C. AG-SF 1 - I - This district is established as a special district for single family residential homes not located in a subdivision and which area has been annexed into the corporate limits of the Town of Westfield and is served by public water and sewer facilities.
1. Permitted Uses -
 - Single family dwellings
 - Accessory buildings as related to single family dwellings
 - Fire stations
 - Churches
 - Temporary buildings for construction purposes for a period not to exceed one (1) year
 - Signs as permitted by sign ordinance
 - Child care home - in accordance with IC 36-7-4-1108
 - Residential facility for mentally ill - in accordance with IC 12-28-4-7
 2. Special Exceptions -
 - None
 3. Permitted Home Occupations -
 - Art studio
 - Dressmaking
 - Professional office of a clergyman, lawyer, architect, accountant, or counselor
 - Typing or other office services
 - Teaching musical instruments or dancing
 - A business conducted entirely by mail

- Beauty shop - one chair operated by a resident
- Home garage sale not to exceed 7 days per year
- Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling.
- Homebound schools for 12 or less full-time or part-time children including residents of the home.
- Personal motor vehicle sales not to exceed 2 vehicles per year.

Permitted home occupations shall not include the employment of an additional person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupation.

4. Minimum Lot Area - Not less than 20,000 square feet
5. Minimum Lot Frontage on Road - Not less than 100 feet
6. Minimum Setback Lines -
 - Front yard - 50 feet
 - Side yard - 12 feet; 50 feet if corner lot
 - Rear yard - 30 feet
 - Minimum lot width at building line - 85 feet
7. Maximum Building Height - Not to exceed two and one-half stories or 35 feet whichever is lower
8. Minimum ground level square footage, exclusive of porches, terraces and garages -
 - Single story - 1350 square feet
 - Two-story - 800 square feet
 - Tri-level - 800 square feet (basement and first level)
 - Story and one-half - 800 square feet
9. Parking - Off-street parking shall be a minimum of two (2) spaces for each dwelling

C1. SF 1 –Single-Family 1 - The purposes of this district are to accommodate large-lot single family residential land uses where public sanitary sewers and water are available.

1. Permitted Uses -

- Accessory building (single structure) as related to single family residential use
- Child care home - in accordance with IC 36-7-4-1108
- Fire Stations, Police Stations, Community or Public Service Structures
- Golf Courses
- Public Parks and Private Park
- Residential facility for mentally ill and Developmentally Disabled - in accordance with IC 12-28-4-7 and IC 12-28-4-8
- Signs as permitted by sign ordinance
- Single family dwellings
- Temporary buildings for construction purposes for a period not to exceed one year, or the completion of the structure, whichever is less
- Utilities - all utilities regulated by the Indiana Utility Regulatory Commission or a Municipal governing body

2. Special Exceptions -

- Lake developments – recreational Public and Private
- Private clubs and lodges when integrated into the subdivisions' home owners association in the same development
- Tennis and swimming clubs when directly integrated into the subdivisions' home owners association in the same development
- Accessory building (greater than one (1)) as related to single family residential use

3. Permitted Home Occupations – Business that does not have a visual or physical impact on the site by conducting business on the premises

Permitted home occupations shall not include the employment of a person on the premises in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Minimum Lot Area –

- a. Not less than 30,000 square feet in a subdivision

5. Minimum Lot Frontage on Road –

- a. Lots in subdivisions - 60 feet on cul-de-sac, end turnaround – (as per arc)
- b. 100 feet on other lots

6. Minimum Setback Requirements –

1.) Front Yard –

- | | |
|--------------|--|
| i. 100 feet | Expressways, Primary/Secondary Arterials |
| ii. 80 feet | Collectors |
| iii. 50 feet | Local Roads and Private Streets |

2.) Side Yard –

- a. 20 feet

3.) Rear Yard –

- a. 30 feet

4.) Minimum Lot Width at Building Line –

- a. 100 feet

7. Maximum Building Height – not to exceed two and one-half (2 ½) stories above grade or 35 feet, whichever is lower.

8. Minimum single-family ground level square footage, exclusive of porches, terraces, and garages -

- | | |
|---|-------------------|
| a. Single story - | 2,000 Square Feet |
| b. Two story - (lower and main levels) | 1,200 Square Feet |
| c. Tri-level - (lower and main levels) | 1,200 Square Feet |
| d. Story and one-half - (lower and main levels) | 1,200 Square Feet |

9. Parking - Off-street parking shall be provided in accordance with provisions set forth in WC 16.04.120, Off-Street Loading and Parking.

D. SF 2 - This district is established for low density, single family residential homes with available sanitary sewers.

1. Permitted Uses -

- Single Family Dwellings
- Churches
- Schools - public or private - without dormitory accommodations
- Public parks
- Accessory buildings as related to single family residential use
- Accessory buildings as related to agriculture - non-subdivision
- Golf Courses
- Fire stations

- Temporary buildings for construction purposes for a period not to exceed such construction
- Signs as permitted by sign ordinance
- Stables (on lots of 3 acres or more with a minimum of 200 foot setback from any adjoining property line)
- Cemeteries
- Utilities - All utilities regulated by the Indiana Utility Regulatory Commission or a municipal governing body
- Child care home - in accordance with IC 36-7-4-1108
- Residential facility for mentally ill - in accordance with IC 12-28-4-7

2. Special Exceptions -

- Golf courses, country clubs
- Convents, monasteries, theological schools, rectories and parish houses
- Cemeteries - pet

3. Permitted Home Occupations -

- Art studio
- Dressmaking
- Professional office of a clergyman, lawyer, architect, accountant, or counselor
- Typing or other office services
- Teaching musical instruments or dancing
- A business conducted entirely by mail
- Beauty shop - one chair operated by the resident
- Home garage sale not to exceed 7 days per year
- Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling.
- Homebound schools for 12 or less full-time or part-time children including residents of the home.
- Personal motor vehicle sales not to exceed 2 vehicles per year.

Permitted home occupations shall not include the employment of an additional person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign regulations for residence districts as outlined in the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Minimum lot area -

- Subdivisions - not less than 15,000 square feet
- Individual lots not located in approved subdivisions - not less than 3 acres

5. Minimum lot frontage on road -
 - Subdivisions - not less than 50 feet
 - Three acre lots - a minimum of 250 feet
6. Minimum setback lines - all construction -
 - Front yard -

Three acre lots	- not less than 100 feet on expressways, primary arterials, and secondary arterials - not less than 80 feet on all other streets.
Subdivisions	- not less than 30 feet
 - Side yard -

Subdivision - 12 feet except corner lots when 30 feet will apply also to side yards on a corner lot. Three acre lots - 30 feet

 - Rear yard -

Subdivision - 30 feet Three acre lots - 30 feet
--
 - Minimum lot width at building line -

Subdivisions - 100 feet Three acre lots - N/A
--
7. Maximum building height - Not to exceed two and one-half stories or 35 feet whichever is lower
8. Minimum ground level square footage, exclusive of porches, terraces and garages - Single family -
 - Single story - 1200 square feet
 - Two story - 800 square feet
 - Tri-level - 800 square feet (basement & 1st level)
 - Story and one-half - 800 square feet
9. Parking - Off-street parking shall be provided in accordance with provisions set forth in this ordinance

E. SF 3 - This district is established for residential homes medium density, single family with available public water and sewer facilities.

1. Permitted Uses -
 - Single family dwellings
 - Churches

- Public or private schools without dormitory accommodations
 - Public parks - not to exceed five acres
 - Fire station
 - Accessory buildings as they relate to above uses
 - Utilities - All utilities regulated by the Indiana Utility Regulatory Commission or a municipal governing body
 - Child care home - in accordance with IC 36-7-4-1108
 - Residential facility for mentally ill - in accordance with IC 12-28-4-7
2. Special Exceptions -
- Tennis and swimming clubs
 - Convents, monasteries, theological schools, rectories and parish houses
3. Permitted Home Occupations -
- Art studio
 - Dressmaking
 - Professional office of a clergyman, lawyer, architect, accountant, or counselor
 - Typing or other office services
 - Teaching musical instruments or dancing
 - A business conducted entirely by mail
 - Beauty shop - one chair operated by the resident
 - Home garage sale not to exceed 7 days per year
 - Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling.
 - Homebound schools for 12 or less full-time or part-time children including residents of the home.
 - Personal motor vehicle sales not to exceed 2 vehicles per year.

Permitted home occupations shall not include the employment of an additional person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Minimum Lot Area -
- Single family - not less than 12,000 square feet
 - Two-family (duplexes) - corner lots not less than 15,000 square feet
5. Minimum Lot Frontage on Roads - Not less than 50 feet for single family and duplexes.
6. Minimum Setback Lines -

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- Front yard - 20 feet
 - Side yard - 10 feet except corner lots when 20 feet will also apply to side yard on road.
 - Rear Yard - 30 feet
 - Minimum lot width a building line - Single family - 80 feet
 Duplexes on corner lots - 90 feet
7. Maximum building height - Not to exceed 25 feet
8. Minimum ground level square footage, exclusive of porches, terraces and garages -
 Single Family -
- Single Story - 1200 square feet
 - Two Story - 800 square feet
 - Tri-level - 800 square feet (basement & 1st level)
 - Story and one-half - 800 square feet
9. Parking - Off-street parking shall be provided in accordance with the provisions in this ordinance.
- F. SF 4 - This district is established for higher density single family residential homes in residential areas with available state approved water and sewer facilities and such lands must be at least one-eighth (1/8) of its perimeter adjacent to the corporate limits of the town
1. Permitted Uses -
- Single Family Dwellings
 - Churches
 - Schools - Public and private with dormitory accommodations
 - Fire stations
 - Accessory buildings as they relate to above uses
 - Utilities - All utilities regulated by the Indiana Utility Regulatory Commission or a municipal governing body
 - Child care home - in accordance with IC 36-7-4-1108
 - Residential facility for mentally ill - in accordance with IC 12-28-4-7
2. Special Exceptions -
- Convents, monasteries, theological schools, rectories and parish houses
3. Permitted Home Occupations -
- Art studio
 - Dressmaking
 - Professional office of a clergyman, lawyer architect, accountant, or counselor

- Typing or other office services
- Teaching musical instruments or dancing
- A business conducted entirely by mail
- Beauty shop - one chair operated by a resident
- Home garage sales not to exceed 7 days per year
- Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling
- Homebound schools for 12 or less full-time or part-time children including residents of the home
- Personal motor vehicle sales not to exceed 2 vehicles per year

Permitted home occupations shall not include the employment of an additional person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Minimum Lot Size - Single Family - not less than 9,000 square feet
5. Minimum Lot Frontage on Road - Single family - 40 feet
6. Minimum Setback Lines for Single Family -
 - Front yards - 25 feet or the average of the setback of the other homes in the block
 - Side yard - 8 feet except corner lots when 20 feet will apply to side yards on road or street
 - Rear Yard - 25 feet
 - Minimum lot width at building line - Single Family - 50 feet
7. Maximum Building Height - Not to exceed 25 feet
8. Minimum ground level square footage, excluding porches, terraces and garages - Single Family -
 - Single story - 1,000 square feet
 - Two story - 750 square feet
 - Tri-level - 750 square feet (basement & 1st level)
 - Story and one-half - 750 square feet)
9. Parking - Off-street parking shall be provided in accordance with the provisions in this ordinance

G. SF 5 - This district is established for unincorporated towns or communities within the jurisdictional area of Washington Township which are presently platted and not served by a public sewer system.

1. Permitted Uses (with approved sanitary facilities) -

- Single family dwellings
- Churches
- Accessory buildings - as related to above uses
- Fire stations
- Utilities - All utilities regulated by the Indiana Utility Regulatory Commission or a municipal governing body
- Child care home - in accordance with IC 36-7-4-1108
- Residential facility for mentally ill - in accordance with IC 12-28-4-7

2. Special Exceptions -

- Convents, monasteries, theological schools, rectories and parish houses

3. Permitted home occupations -

- Art Studio
- Dressmaking
- Professional office of a clergyman, lawyer, architect, accountant, or counselor
- Typing or other office services
- Teaching - musical instruments or dancing
- A business conducted entirely by mail
- Beauty shop - one chair operated by a resident
- Home garage sales not to exceed 7 days per year
- Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling
- Homebound schools for 12 or less full-time or part-time children including residents of the home.
- Personal motor vehicle sales not to exceed 2 vehicles per year.

Permitted home occupations shall not include the employment of an additional person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign regulations for residence districts as outlined in the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Minimum Lot Area - Single family - not less than 7,000 square feet

5. Minimum Lot Frontage on Road - Single Family - 40 feet

6. Minimum Setback for Single Family -

- Front yard - 20 feet or the average of the setback of other homes in the block
- Side yard - 8 feet except on corner lots when 20 feet shall apply to the side of lots fronting a road or street
- Rear yard - 20 feet
- Minimum lot width at building line - 40 feet

7. Maximum Building Height - Not to exceed 25 feet

8. Minimum ground level square footage required, excluding porches, terraces and garages - Single Family -

- Single story - 800 Square feet
- Two-story - 650 square
- Tri-level - 650 square feet (basement & 1st level)
- Story and one-half - 650 square feet

9. Parking - Off-street parking shall be provided in accordance with the provisions of this ordinance

H. SF-A (Single-Family – Attached) - This district is established for attached single-family communities of four or less units per building with mandatory public water and sanitary sewer service. If public water and sanitary sewer service is not available, the developer will install with the development. This district is contemplated to provide an exceptional project where the project leads the zoning while providing owner occupied dwelling opportunities for individuals who desire to live in maintenance-free communities (i.e., where grass mowing, property maintenance, snow removal, etc. are commonly maintained and owned by a property owners association). Such communities may or may not include private streets. The new classification is a bridge between all the single family classifications and the multi-family classification.

1. Permitted Uses –

- 1) Two-unit single family attached dwellings
- 2) Three-unit single family attached dwellings
- 3) Four-unit single family attached dwellings
- 4) Accessory Structures as related to the Single Family Attached (SF-A) and owned by the Home Owners Association
 - (i) Clubhouse
 - (ii) Swimming Pool
 - (iii) Common Meeting Facility

2. Special Exceptions –
 - (a) None
3. Permitted Home Occupations – Business that does not have a visual, audible, olfactory, or physical impact on the site by conducting business on the premises.

Permitted home occupations shall not include the employment of a person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except where such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

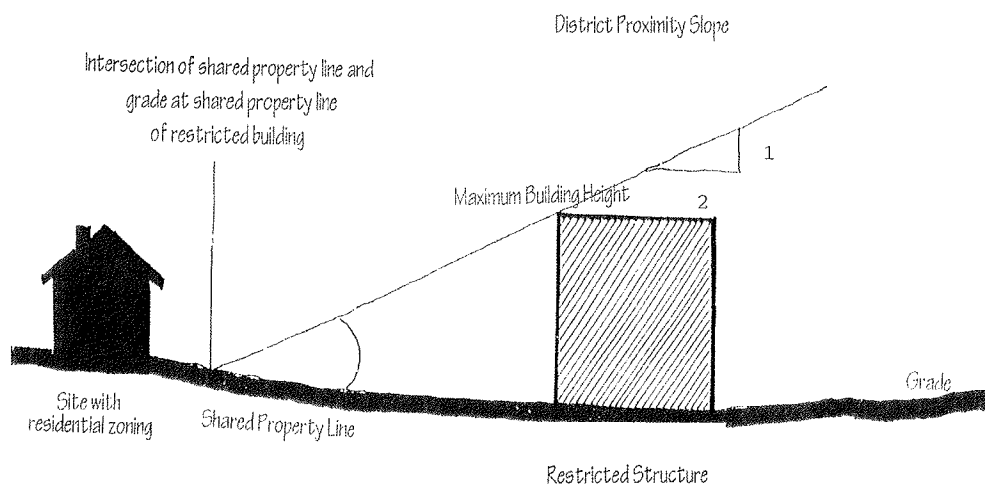
4. Minimum Lot Area – N/A
5. Minimum Lot Frontage on Roads – N/A
6. Maximum Dwelling Density per Acre – Up to four (4) dwelling units per acre
7. Mandatory public water and sewer service
8. Maximum Number of Acres per SF-A District: Thirty acres (30)
9. Minimum Green Space Area –
 - a. Will be 35 % of total acreage
 - b. All green space is owned and maintained by the Home Owners Association
 - c. Ten percent (10%) may be in an amenity package, including but not limited to: trails, picnic areas and recreational areas.
 - d. A maximum of fifty percent (50%) credit toward the required green space may come from: wetlands, third party regulated utility easements, legal drains and equivalent land.
10. Minimum Building Setback Lines –
 - a. Front yard (from pavement if private street, from right-of-way (ROW) if public street)
 - i) Expressways 50 Feet
 - ii) Primary Arterials 35 Feet
 - iii) Secondary Arterials 25 Feet
 - iv) Collectors 20 Feet
 - v) Local and Private streets 20 Feet
 - vi) Buildings with more than one unite that are adjacent will stagger the front envelope for each unit by at least four (4) feet

11. Distance Between Structures –

- a. 25 Feet for one- and two-story structures with no vinyl exterior siding on the structure(s).
- b. 30 Feet for one- and two-story structures with any vinyl exterior siding on the structure(s).

12. Project Perimeter Setback – Will be at a 1:2 ratio as defined by Proximity Slope (one vertical to two horizontal)

Proximity Slope – A plane projected upward and outward from the property line or right of way line, whichever is closest to the building. The angle or slope is projected from the line formed by the intersection of the vertical plane extending up from the shared property line and the grade at the shared property line of the restricted building or structure (see Figure below). No SF-A structure shall be erected above the projected 1:2 proximity slope line.



13. Maximum Building Height – 35 feet structures

14. All garage door openings will be off set from the road (which the structure is addressed from), which the unit fronts on by at least thirty (30) degrees.

15. Minimum Square Footage Per Dwelling Unit (exclusive of porches, basements, terraces and garages) (with a minimum of seventy-five percent (75%) of the residential units being 1,500 square feet or greater)

- | | |
|---|-------------------|
| 1) Single story - | 1,300 Square Feet |
| 2) Story and one-half - (lower and main levels) | 1,600 Square Feet |
| 3) Two story - (lower and main levels) | 1,800 Square Feet |

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16. All residential structures will have a two (2) car garage with matching driveway.
17. Building Materials – Building materials will be governed by the terms of the Development Plan Review procedure set forth in this ordinance.
18. Landscaping standards as required in WC 16.06. Landscaping
19. Lighting standards as required in WC 16.07, Lighting

WC 16.04.040 Multi-Family Districts

A. MF1 – Multi-Family 1 – This district is established to provide opportunities for the development of single-family attached dwellings, including low-density townhomes, duplexes, triplexes, and quadraplexes. The purpose of this district is to encourage variety in housing stock within the community to provide housing opportunities to a diverse socio-economic cross-section of residents.

1. Permitted Uses -

- Accessory buildings related to the uses listed below
- Assisted living facilities
- Churches
- Day care centers
- Fire Stations
- Hospices
- Nursing Homes
- Public Parks
- Schools - public and private with or without dormitories
- Temporary buildings for construction purposes for a period of time not to exceed time of construction
- Utilities - all utilities regulated by the Indiana Utility Regulatory Commission or a municipal governing body

2. Special Exceptions -

- Convent, monasteries, theological schools, rectories, and parish houses
- Manufactured home parks (in accordance with the provisions of WC 16.04.090)

3. Permitted Home Occupations -

- Art studio
- Beauty shop - one chair operated by a resident of home
- Business conducted entirely by mail
- Dressmaking
- Home garage sales not to exceed seven (7) days per year
- Professional office of a clergyman, lawyer, architect, accountant, or counselor
- Repairing, servicing, or refurbishing equipment or parts, excluding motor vehicles, as long as the work is performed entirely within the home located in this district and performed by a member of the household living in the dwelling.
- Teaching - such as musical instruments or dancing
- Typing and other office services

Permitted home occupations shall not include the employment of persons in addition to occupants of the dwelling unit in performance of such services, and shall not include exterior display of signs, except as permitted by the sign regulations for residential districts as outlined in the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Location - The following criteria shall be met for a rezone to MF1 to be granted:
 - a. MF1 districts shall be located within the corporate limits of the Town of Westfield.
 - b. MF1 districts shall not be located within one-half (.5) mile of another MF1 or MF2 district.
 - c. MF1 districts shall utilize water and sewer facilities of adequate capacity, connected to a public utility.
 - d. MF1 districts shall be contiguous to an existing developed parcel.
5. Maximum Dwelling Density - Six (6) dwelling units per acre

Maximum Number of Dwelling Units Per Structure

- a. Townhouse - 4 units per structure
 - b. Quadraplex- 4 units per structure
 - c. Triplex- 3 units per structure
 - d. Duplex- 2 units per structure
7. Maximum Number of Dwelling Units Per MF1 District – forty-eight (48) units
8. Minimum Square Footage Per Dwelling Unit (excluding porches, terraces, carports, and garages) – one thousand (1000) square feet
9. Minimum Road Frontage
 - a. Townhouse - seventy (70) feet
 - b. Quadraplex - seventy (70) feet
 - c. Triplex- sixty (60) feet
 - d. Duplex - fifty (50) feet

10. Minimum Setback Requirements

- a. Front Yard –twenty (20) feet
- b. Side Yard – twenty (20) feet
- c. Rear Yard – twenty (20) feet

11. Minimum Lot Width at Building Line

- a. Townhouse - forty-five (45) feet
- b. Quadraplex - forty-five (45) feet
- c. Triplex - fifty (50) feet
- d. Duplex - fifty (50) feet

12. Maximum Building Height - thirty-five (35) feet

13. Minimum Distance Between Buildings - twenty (20) feet

14. Parking - In addition to the off-street parking requirements in WC 16.04.120, the following provisions shall apply:

- a. Parking areas and spaces exposed to public streets or adjacent to one and two-family neighborhoods shall be screened by walls or other solid materials in addition to landscaping required in WC 16.06.
- b. Solid screens or landscape materials shall be installed to protect the privacy of residents when parking spaces are located within ten (10) feet of residential units and to prevent headlights from shining directly into windows.
- c. If dwelling units are provided with alley accesses, rear parking areas shall be permitted.

15. Building Materials - At least seventy-five (75) percent of building exteriors shall be covered with masonry materials, excluding all windows and doorways.

Green Space Areas- At least twenty (20) percent of the gross land area within each MF1 district shall be designated as secondary green space areas. The ownership of greenspace, how it will be protected from future development, and responsibility for future maintenance must be documented and recorded with the plat.

17. Transportation Accessibility -

- a. Street infrastructure within MF1 developments may be developed as public streets or private streets. Such infrastructure shall be perpetually accessible to residents and emergency vehicles.
- b. Streets within MF1 developments shall align and connect with existing streets outside such developments and provide for connections with future adjacent developments.
- c. At least two street accesses shall be provided for each MF1 development and adequate accessibility for emergency vehicles and school busses shall be ensured.
- d. MF1 developments shall possess primary accesses off of primary arterials or secondary arterials.
- e. Developers of MF1 projects may be required to construct turn lanes or acceleration/deceleration lanes on adjacent streets to minimize the negative traffic impacts of such development.
- f. If shared access roads are constructed to serve multiple developments or multiple owners, appropriate dedication or easement documents must be submitted to ensure perpetual access to emergency vehicles and affected residents.

18. Landscaping and Buffering - MF1 developments shall comply with the landscaping requirements in WC 16.06, Landscaping and Tree Preservation.

19. Lighting - see WC 16.07, Lighting

20. Other Requirements - see WC 16.04.100, Multi-Family Development Plans, Fencing, and Accessory Building Requirements.

B. MF2 – Multi-Family 2 -This district is established for medium density multi-family housing units. The purpose of the MF2 district is to provide affordable rental housing alternatives within the community.

1. Permitted Uses -

- Accessory buildings related to uses listed below
- Assisted living facilities
- Churches
- Day care centers
- Fire Stations
- Hospices
- Nursing homes
- Public parks
- Schools - public and private with or without dormitories
- Temporary buildings for construction purposes for a period of time not to exceed time of construction
- Utilities - all utilities regulated by the Indiana Utility Regulatory Commission or a municipal governing body

2. Special Exceptions -

- Convents, monasteries, theological schools, rectories and parish houses
- Manufactured home parks (in accordance with the provisions of the WC 16.04.090)
- Sanitariums

3. Permitted Home Occupations -

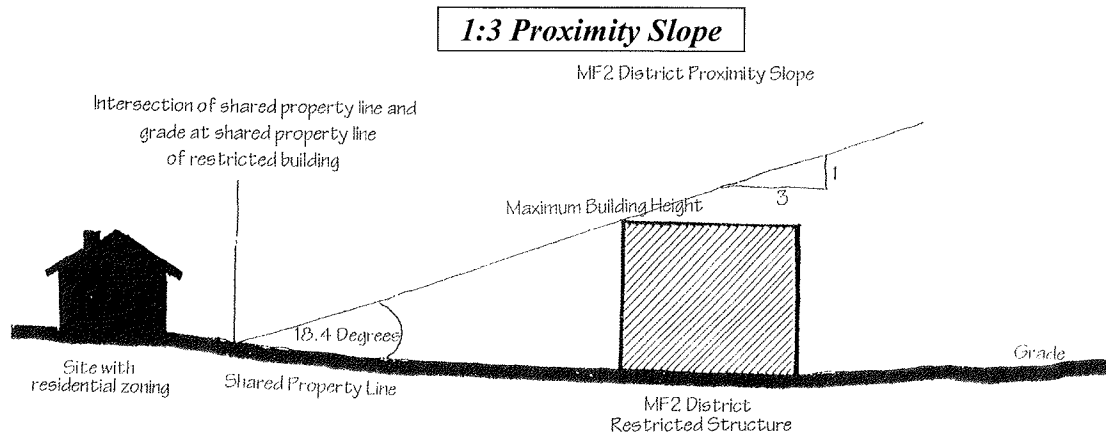
- Art studio
- Beauty shop - one chair operated by resident
- Business conducted entirely by mail
- Dressmaking
- Home garage sales not to exceed 7 days per year
- Professional office of a clergyman, lawyer, architect, accountant, or counselor
- Repairing, servicing, or refurbishing equipment or parts, excluding motor vehicles, as long as the work is performed entirely within the home located in this district and performed by a member of the household living in the dwelling
- Teaching – such as musical instruments or dancing
- Typing and other office services

Permitted home occupations shall not include the employment of persons in addition to occupants of the dwelling unit in performance of such services, and shall not include exterior display of signs, except as permitted by the sign regulations for residential

districts as outlined in the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

4. Location – The following criteria shall be met for a rezone to MF2 to be granted:
 - a. MF2 districts shall be located within the corporate limits of the Town of Westfield.
 - b. MF2 districts shall not be located within three-quarters (.75) of a mile of another MF1 or MF2 district.
 - c. MF2 districts shall utilize water and sewer facilities of adequate capacity, connected to a public utility.
 - d. MF2 districts shall be contiguous to an existing developed parcel.
5. Maximum Dwelling Density - ten (10) dwelling units per acre
6. Maximum Number of Dwelling Units Per Structure - ten (10) units
7. Maximum Number of Dwelling Units Per MF2 District - one hundred fifty (150) units
8. Minimum Square Footage Per Dwelling Unit (excluding porches, terraces, carports, and garages) - six hundred fifty (650) square feet
9. Minimum Road Frontage - seventy (70) feet
10. Minimum Setback Requirements
 - a. Front Yard - thirty (30) feet
 - b. Side Yard - twelve (12) feet
 - c. Rear Yard - twenty (20) feet

11. Proximity Slope - The angle of projection of the proximity slope for multi-family developments under this Section shall be at 18.4 degrees or a 1:3 slope, as illustrated in the following figure:



No MF2 structure shall be erected above the projected 1:3 proximity slope line. The maximum height of any structure will be thirty-five (35) feet.

12. Minimum Distance Between Structures - twenty (20) feet

Development Amenities - MF2 districts shall be provided with development amenities in accordance with the following requirements:

- a. At least twenty (20) percent of the gross land area within each MF2 district shall be designated as secondary green space areas. The ownership of green space, how it will be protected from future development and responsibility for future maintenance must be documented and recorded with the plat.
- b. In accordance with Table 16.04.040-1 below, MF2 districts shall be provided with the following number of amenities within their secondary green space.
- c. The number of amenities required shall be proportional to the size of MF2 developments and may include, but is not limited to, clubhouses, gymnasiums, swimming pools, tennis courts, basketball courts, ball-fields (soccer, baseball, etc.), walking/jogging/biking trails, volleyball courts, and racquetball courts. Picnic/barbecue areas and playgrounds are permitted as amenities in accordance with the following standards:
 - 1.) One picnic/barbecue area, that shall include at least one barbecue grill and one picnic table, per 50 dwelling units
 - 2.) One large playground at least 5,000 square feet in area per 150 units. The amount of square feet required is the total play area including safe fall zones. Play equipment should include a variety of elements within a designated area mulched

with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:

- Six (6) swings
- Three (3) detached/freestanding play elements
- Three (3) sliding elements
- Six (6) climbing elements
- One (1) overhead element
- Panels featuring play elements
- Decks, bridges, tunnels as required to attach various play elements to each other.

All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

- 3.) One small playground at least 2,000 square feet in area per 50 dwelling units. The amount of square feet required is the total play area including safe fall zones. Play equipment should include a variety of elements with a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:

- Three (3) detached/freestanding play elements
- Three (3) sliding elements
- Three (3) climbing elements
- One (1) overhead element
- Panels featuring play elements
- Decks, bridges, tunnels as required to attach various play elements to each other.

All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

- d. Each type of amenity shall counts as one amenity, regardless of the quantity of the amenity that is provided (i.e., if two basketball courts are provided, they count as only one amenity).

Table 16.04.040-1

Number of Units in Development	Minimum Number of Amenities Provided
1-60	2
61-90	3
91-120	4
121-150	5

14. Parking - In addition to the off-street parking requirements in WC 16.04.120, the following provisions shall apply:

- a. Parking lots and spaces exposed to public streets or adjacent to one and two-family neighborhoods shall be screened by walls or other solid materials in addition to landscaping required in WC 16.06.
- b. Solid screens or landscape materials shall be installed to protect the privacy of residents when parking spaces are located within ten (10) feet of residential units and to prevent headlights from shining directly into windows.

15. Building Materials - At least seventy-five (75) percent of building exteriors shall be covered with masonry materials, excluding all windows and doorways.

16. Transportation Accessibility -

- a. Street infrastructure within MF2 developments may be developed as public streets or private streets. Such infrastructure shall be perpetually accessible to residents and emergency vehicles.
- b. Streets within MF2 developments shall align and connect with existing streets outside such developments and provide for connections with future adjacent developments.
- c. At least two street accesses shall be provided for each MF2 development and adequate accessibility for emergency vehicles and school buses shall be ensured.
- d. MF2 developments shall possess primary accesses off of primary arterials or secondary arterials.
- e. Developers of MF2 projects may be required to construct turn lanes or acceleration/deceleration lanes on adjacent streets to maintain traffic service levels.
- f. If shared access roads are constructed to serve multiple developments or multiple owners, appropriate dedication or easement documents must be submitted to ensure perpetual access to emergency vehicles and affected residents.

17. Landscaping and Buffering - MF2 developments shall comply with the landscaping requirements in WC 16.06, Landscaping and Tree Preservation.
18. Lighting - see WC 16.07, Lighting
19. Other Requirements - see WC 16.04.100, Multi-Family Development Plans, Fencing, and Accessory Building Requirements.

WC § 16.04.050 Business Districts

A. General Requirements (other than historical district) -

1. Groups of users requiring parking space may join in establishing group parking area with capacity aggregating that required for each participating use, with the approval of the Plan Commission.
2. Public parking area and loading and unloading berths shall be paved with a dust proof or hard surface.
3. One-half of an alley abutting the rear of a lot may be included in the rear yard, but such alley space shall not be included for loading and unloading berths.
4. Loading and unloading berths shall not be required for business uses, which demonstrate that they do not receive or transmit goods or wares in quantity by truck delivery.
5. Parking may be permitted in the required front yard for business uses.
6. On a through lot, front yards shall be provided on each street in the local business, general business and historical districts.
7. The maximum building height requirements may be increased if buildings are set back, from front and rear property lines, one foot for each two feet of additional height above the maximum building height requirement.
8. Chimneys, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, distribution poles and lines, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
9. A suitable planting screen shall be provided on any business yard that abuts a residential area in accordance with the landscaping provisions in this section. Such plantings shall provide an effective screen at the time of construction of the development.
10. The Plan Commission shall review and approve plans to assure adherence to developmental standards and overall conformity to the Master Plan and Zoning Ordinance.
11. There shall be no storage or display of merchandise outside of a building except in a sales lot established for that purpose and except for merchandise associated with sidewalk-type sales events of less than one (1) week in duration and with a frequency of no more than once every six (6) calendar months.

B. GO - General Office District - This district is established to provide for general office development.

1. Special Requirements -

- No outside storage, vending machines or outside sales display.
- General office business shall be conducted within buildings so constructed that no noise, dust, or dirt shall be audible or visible beyond the confines of the building.

2. Permitted Uses -

- General business and professional offices
- Insurance offices
- Manufacturing representatives offices
- Medical or veterinarian offices
- Financial institutions
- Real estate offices
- Multi-family housing (3 units or more with MF1 standards)
- Municipal or government buildings
- Public or private schools
- Agriculture
- Accessory buildings and uses customarily incidental to any of the above uses

3. Special Exceptions -

- Office/warehouse buildings
- Day care facilities

4. Minimum Lot Area - 3 acres

5. Minimum Lot Frontage on Road - 250 feet

6. Minimum Setback Lines -

- Front Yard - 60 feet
- Side Yard - For side yards adjoining a road or street - not less than 60 feet
For side yards abutting a residential area - 60 feet
All other side yards - 20 feet
- Rear Yard - 20 feet unless the rear yard abuts a residential district in which case the rear yard setback shall be 60 feet

7. Maximum Building Height - 50 feet

8. Minimum Ground Level Square Footage - None. However, not more than eighty (80) percent of the total area of any lot or any development on multiple lots shall be occupied by buildings, roads, parking area, drainage facilities and other accessory uses.
9. Parking - Off-street and/or private parking shall be provided in accordance with the provisions in this ordinance.
10. Exemption - Any residence which is located in this district, as of December 1990, that is converted into offices, is exempt from the standards of this subsection. Such exemption does not apply to additions or exterior modifications which increase the size of the structure.

C. GO -PD - General Office - Planned Development - This district is established to permit the development of lands to provide offices as contained in this subsection, single family homes and low density multi-family units when such lands are developed in a comprehensive plan of which business use may not exceed 20 percent and multi-family shall not exceed 30 percent.

1. Special Requirements -

- No outside storage, vending machines or outside sales display.
- General office business shall be conducted within buildings so constructed that no noise, dust, or dirt shall be audible or visible beyond the confines of the building.

2. Permitted Uses -

- Single family - with minimum SF 4 standards
- Cluster homes
- General business and professional offices
- Insurance offices
- Manufacturing representatives offices
- Medical or veterinarian offices
- Financial institutions
- Real estate offices
- Multi-family housing (2 units or more with MF-1 standards)
- Municipal or government buildings
- Public or private schools
- Accessory buildings and uses customarily incidental to any of the above uses

3. Special Exceptions -

- Office/warehouse buildings
- Day care facilities

4. Minimum Lot Area - 30 acres
5. Minimum Lot Frontage on Road - 500 feet
6. Minimum Setback Lines -
 - Front Yard - 100 feet
 - Side Yard - For side yards adjoining a road or street - not less than 60 feet
For side yards abutting a residential area - 60 feet
All other side yards - 20 feet
 - Rear Yard - 20 feet unless the rear yard abuts a residential district in which case the rear yard setback shall be 60 feet
7. Maximum Building Height - 40 feet
8. Minimum Ground Level Square Footage - None. However, not more than eighty (80) percent of the total area of any lot or any development on multiple lots shall be occupied by buildings, roads, parking areas, drainage facilities and other accessory uses.
9. Parking - Off-street and/or private parking shall be provided in accordance with the provisions in this ordinance.
10. Application Procedures - Applications for General Office Planned Developments shall consist of the following steps:
 - a) Preliminary plans presented to the building commissioner must:
 - Be drawn to scale.
 - Show dimensional boundaries of property to be developed.
 - Indicate location, type and size of structures, and use and arrangement of all structures (details are not necessary).
 - Show the proposed number of parking and loading spaces.
 - Show the proposed locations and width of driveways, entrances and exits.
 - Show all areas to be maintained as permanent open space.
 - Provide a traffic study to include:
 - 1) A comparative analysis of present capacity of streets adjacent to the proposed development with potential capacity volumes, taking into consideration the effect the proposed development will have upon engendering additional traffic; and

- 2) A circulation plan for all streets (existing and proposed) which will show recommendations for controlling, signaling, channeling, storing and warning traffic.
 - Include a statement of financial responsibility which demonstrates the ability of the developer to proceed with construction and development.
 - Show locations and dimensions of sidewalks.
 - Provide for dedication of any rights-of-way that may be necessary.
 - Show location of any easement for utilities, public or private.
 - Include a statement of proposed covenants to insure that the development plan is reasonable.
 - Insure proper drainage.
 - Provide a statement as to the proposed timetable for development if the project is to be done in phases.
 - Submit a preliminary plan indicating the proposed location of land within the property to be developed. Such plan shall indicate the proposed general location of such future buildings and construction requirements such as exterior design and height that shall be met by the developer, tenant, or owner including landscaping requirements, parking, traffic control patterns, and other information which will satisfy the Plan Commission as to the total size and impact of the planned business development.
- b) The Building Commissioner shall review all materials, plans and schedules and make recommendations to the Plan Commissions as to the suitability of the development as to:
 - Unified design
 - Safe ingress and egress
 - Adequate and properly located parking and loading facilities
- c) After approval of the preliminary plans by the Plan Commission, the following is required for final plan approval:
 - Engineering plans and specifications for all sanitary sewers, storm sewers, and water distribution lines, as well as telephone, gas and electric utility lines.
 - Any changes from preliminary plans.
 - Deed or easement agreements.
 - Final construction schedule stating the date for final construction on the proposed development.
 - File a surety bond or escrow agreement to insure the final completion of all site improvements which includes streets, drives, walks, walls, water mains, storm and sanitary sewers, and landscape plantings. The bond shall be made to the town for an amount to be specified by the Town Council.
 - Landscaping Plan.

- D. LB - Local and Neighborhood Business District - This district is established to provide a local or neighborhood residential community with retail services, convenience shopping, and professional services to meet the daily needs of the community. As such, this district typically will be ten (10) to twenty (20) acres in total area. Permitted uses in this District include general office, neighborhood shopping centers, financial institutions and other small to moderate size businesses. Development within this district requires attachment to public or semi-public water and sewers.

1. Special Requirements

Development Plan – Any proposed development in the LB District shall be subject to the requirements for the filing of a Development Plan as set forth in WC 16.04.065 and Section 15, below.

When the standards of this Section are found to be in conflict with other standards of the Westfield - Washington Township Zoning Ordinance, the stricter standards shall prevail.

2. Permitted Uses - See Figure 2 for list of permitted businesses.

Notwithstanding the provisions of Figure 2, the following uses shall also be considered Permitted Uses in the Local and Neighborhood Business District:

- Liquor stores and taverns
- Carry out food and beverage business (excluding drive-in or drive-through service)

3. Special Exception Uses – None.

4. Minimum Lot Area – Five (5) acres.

5. Minimum Lot Frontage - 50 Feet.

6. Minimum Setback Requirements

a. Front Yard Adjacent to All Districts –

Required front yards adjacent to all districts shall be 60 feet. Exception: The required front yard may be reduced to the average setback of the legally established buildings or structures where an existing front yard setback is established by two or more existing, legally established buildings or structures within the same block and within three-hundred (300) feet in either direction.

b. Side Yards Adjacent to Residential Districts -

Required side yards adjacent to residential districts shall be 60 feet. Exception: If the required side yard abuts an alley, the required side yard setback shall be 40 feet from the right-of-way line of the alley.

c. Side Yards Adjacent to Non-Residential Districts –

Required side yards adjacent to non-residential districts shall be 15 feet.

d. Rear Yards Adjacent to Residential Districts -

Required rear yards adjacent to residential districts shall be 60 feet. Exception: If the required rear yard abuts an alley, the required rear yard setback shall be 40 feet from the right-of-way line of the alley.

e. Rear Yard Adjacent to Non-Residential Districts –

Required rear yards adjacent to non-residential districts shall be 20 feet.

7. Use of Required Yards

All required yards shall be maintained as green space and landscaped with grass, trees, shrubbery, or hedge, or in combination with other suitable ground cover materials in compliance with the requirements of Chapter 6. Landscape Standards of this Ordinance, and shall remain free from buildings or structures except where expressly permitted below:

a. Front Yard Adjacent to Non-Residential Districts –

Required front yards adjacent to non-residential districts may include driveways and parking areas, provided that (i) no portion of the parking area may be located closer to the right-of-way than ten (10) feet; and, (ii) the remainder of said required front yard shall be maintained as green space free from buildings or structures.

b. Front Yard Adjacent to Residential Districts –

Required front yards adjacent to residential districts may include driveways and parking areas, provided that (i) no portion of the parking area may be located closer to the right-of-way than thirty (30) feet; and, (ii) the remainder of said required front yard shall be maintained as green space free from buildings or structures.

c. Side and Rear Yards Adjacent to Non-Residential Districts –

Required side and rear yards may include interior access driveways, provided that the remainder of said required side or rear yard shall be maintained as green space free from buildings or structures.

d. Side and Rear Yards Adjacent to Residential Districts –

Required side and rear yards shall be maintained as green space free from buildings or structures.

8. Maximum Building Height

No building or structure shall be erected above a projected 1:3 proximity slope line (See WC 16.04.040, B., 11).

The maximum height of any building or structure shall be forty-five (45) feet above grade.

9. Square Footage Requirements

- a. Minimum Business Size – 800 square feet.
- b. Maximum Business Size – 30,000 square feet.
- c. Aggregate Maximum of All Building(s) within the Development – 90,000 square feet.

10. Parking

- a. See WC 16.04.120, Off-Street Loading and Parking; and,
- b. All access drives, parking areas, loading areas, driveways, interior access drives and interior access driveways shall be constructed with a durable, dust free surface of concrete or asphalt.

11. Loading – See WC 16.04.120.

12. Signs – See WC 16.08, et seq.

13. Landscaping – See WC 16.06, et seq.

14. Lighting – See WC 16.07.010.

15. Development Plans

Development Plans filed for any new construction, building additions, new or expanded surface parking areas, new or expanded surface loading areas, exterior building renovations or signs in the LB District shall, in addition to any Development Requirements contained elsewhere in this Ordinance, also comply with the following additional Development Requirements:

a. Pedestrian Access and Orientation:

Developers of sites in the Local Business District shall provide sidewalks or pathways along all adjoining public or private streets. Such sidewalks or pathways shall be designed so as to connect to an existing or proposed sidewalk, pathway or trail network.

b. Building Fascia:

All buildings and structures within a Local Business District development shall share a common architectural style.

c. Vehicle Access:

Each vehicle access point shall be designed in compliance with the criteria set forth in this Ordinance and the "Town of Westfield Construction Standards", administered by the Westfield Utilities Department.

d. Development Pattern:

Developments may be either: (i) a freestanding individual development; or, (ii) an integrated development containing more than one (1) business in one (1) or more buildings.

In order to create an integrated development that may include Out Lots, a rezone to the LB-PD shall be required.

In the case of an integrated development, documentary assurances shall be filed with the Plan Commission indicating that all lots or uses within the integrated development shall be provided with, at a minimum, the following: (i) regular trash pick-up; (ii) snow removal; (iii) common vehicle access point(s), and drive(s) and parking area(s), including maintenance thereof.

e. Outside Storage or Display –

- (1) No outside storage or display of materials or merchandise shall be permitted.
- (2) No outside vending machines shall be permitted.
- (3) All business uses shall be conducted within buildings so constructed that no noise, dust or dirt shall be audible or visible beyond the confines of the building or structure.
- (4) Trash containers shall: (i) be screened on all sides with a solid walled or fenced enclosure not less than six (6) feet in height above grade and equipped with wood covered gates; (ii) not be located between the front line of the primary building and the front lot line; and, (iii) not be located in any required yard.

E. LB-H - Local Business - Historical District - The purpose for establishing this district is to provide for the needs of local business in the central business district of the Town of Westfield and also to provide for the preservation, restoration, adaptive use and/or reconstruction of properties and historic buildings in the district.

1. Permitted Uses - See Figure 2 for list of permitted local businesses. Other business not listed which can be classified as local business will also be eligible with the approval of the Plan Commission

2. Special Exceptions -

- Auto Rustproofing
- Auto sales, new or used, service and repair
- Gasoline service stations
- Liquor stores and taverns
- Fruit stands, temporary
- Any outdoor food and beverage business
- Self-service food and beverage business
- Carry-out food and beverage business
- Drive-in food and beverage stores
- Convents, monasteries, theological schools, rectories, parish houses
- Multi-family housing
- Single family dwelling
- Recycling collector system

3. General Requirements and Guidelines - Historical

- a) Commercial Buildings - Structures to be remodeled or altered to be utilized for commercial purposes shall retain original design and features of the existing structure.

Materials used for restoration and repair for windows, doors, exterior siding, roofing and other exterior needs shall replicate to the extent possible the existing materials utilized in the period of initial construction.

- b) Exterior modifications for porches, overhangs, chimneys and room additions shall be compatible in design of the original structure or like structures. Wood products and white and earth tone colors shall be utilized to the extent possible.
 - c) Residences - New homes, single or multi-family, to be located in the district shall be of a design and constructed with materials to be contemporary with existing structures. Modifications to existing homes and accessory buildings shall also be compatible with the period of original construction utilizing white, earth tones or historical colors and emphasis on wood exteriors.
 - d) Approval Procedure - An applicant requesting a building permit shall provide to the Building Commissioner three copies of the specifications and design for all renovation, restoration or new construction and signage in the local business - historical district (LB-H). The Building Commissioner will provide information to all applicants on the type of facilities that are being encouraged and the materials for construction that the Plan Commission has endorsed. Any person who shall make application for an improvement location permit for a new building or the substantial alteration of an existing building whether it be the restoration, rehabilitation, or its adaptive use shall submit preliminary drawings, including site plan, sign plans, floor plans and elevations to the Plan Commission for review and approval.
 - e) Exemption - All requirements or conditions pertaining to setback lines, lot area sized, parking requirements and loading and unloading berths may be waived by the Plan Commission without a variance based upon the general purpose and intended use of the facility to be restored or rehabilitated.
- F. GB - General Business District - This district is established to accommodate the general business needs of the township including incorporated and unincorporated towns and is served by public water and sewers. This district is more comprehensive than the local business district.
- 1. Special Requirements - None
 - 2. Permitted uses - See Figure 2 for list of permitted businesses. Any other business not listed which can be classified as general business will be eligible with the approval of the Plan Commission
 - 3. Special Exceptions -
 - Auto rustproofing

- Gasoline service stations
- General construction company
- Coal yards
- Mobil home sales
- Salt storage - outside
- Book stores, adult
- Night clubs, bars and restaurants which have less than 50% of their proposed gross sales derived from food sales
- Lumber yards - including millwork
- Multi-family housing
- Taverns
- Industrial schools or training facilities
- Amusement parks
- Convents, monasteries, theological schools, rectories, parish houses
- Large animal hospitals
- Manufactured home parks (in accordance with provisions of WC 16.04.090)
- Outdoor theaters
- Material recycling facilities (MRFs)
- Commercial composting facilities

4. Minimum Lot Area - None

5. Minimum Lot Frontage on Road - 80 Feet

6. Minimum Setback Lines -

- Front Yard -
 - ⇒ General Business - 60 feet for newly established area
Average of other businesses in the block for established business areas
 - ⇒ Planned business development (see WC 16.04.050 F)
- Side Yard -
 - ⇒ General Business - For side yards adjoining a road or street - not less than 60 feet in new area.
For side yards abutting a residential area, 60 feet, or if there is an alley between a residential district and the general business district, the side yard setback shall be 20 feet from the alley.
In established business districts where it is customary to have the businesses abut one another, side yard requirements may be waived except on corner lots when the street side setback shall prevail

- Rear Yard - General business - 20 feet
 - Minimum Lot Width at Building Line - None
7. Maximum Building Height - Not to exceed 60 feet
 8. Minimum Ground Level Square Footage - None
 9. Parking - Off-street and/or private parking shall be provided in accordance with the provisions in this ordinance.
 10. Loading and Unloading Berths - Loading and unloading berths shall be provided as identified in this ordinance.
- G. SB - Special Business District - This district is established to provide for the needs of general business planned business development and multi-family uses. Business developments in this district are subject to the requirements and standards of planned business development for general business as outlined in Article I, except where other requirements and standards for special business districts are specifically set forth.
1. Permitted Uses -
 - All general and local businesses as outlined in Figure 2. Any other business not listed which can be classified as local or general business will also be eligible with the approval of the Plan Commission
 - Multi-family Housing
 2. Special Exceptions -
 - Auto rustproofing
 - Auto sales, new or used, service and repair
 - Fruit stands, temporary
 - Any outdoor food and beverage business
 - Self-service food and beverage business
 - Gasoline service stations
 - Coal yards
 - Salt storage - outside
 - Night clubs, bars and restaurants which have less than 50% of their proposed gross sales derived from food sales
 - Lumber yards - including millwork
 - Liquor stores and taverns
 - Restaurants - drive-in and carry-out food and beverage stores
 - Industrial schools or training facilities

- Amusement parks
 - Convents, monasteries, theological schools, rectories, parish houses
 - Large animal hospitals
 - Manufactured home parks (in accordance with provisions of WC 16.04.090)
 - Outdoor theaters
 - Material recycling facilities (MRFs)
3. Minimum Lot Area - As required under Planned Business Development district.
 4. Minimum Lot Frontage on Road - As required under Planned Business Development district.
 5. Minimum Setback Lines - As required under Planned Business Development district.
 6. Maximum Building Height - As required under Planned Business Development district.
 7. Minimum Ground Level Square Footage - As required under Planned Business Development district
 8. Parking - Off-street and/or private parking shall be provided in accordance with the provisions of this ordinance.
 9. Loading and Unloading Berths - Loading and unloading berths shall be provided as identified in this ordinance.
- H. LB-PD and GB-PD - Local Business - Planned Development and General Business - Planned Development - The purpose of these districts is to allow commercial development of such a nature that the areas will be developed in a compatible design and that overall supporting services including roads and utilities can be provided in a proper manner to accommodate the needs of business in these districts. Outlot development should be compatible in general exterior design, coloration, and use of materials to that of the primary development structure or structures.
1. General Requirements - The general requirements for obtaining a building permit for a planned business development in any district shall be in accordance with the following procedures. In any district in which rezoning of land, or a special exception, or an exemption from special exception restrictions, or a variance from the ordinance requirements is requested in connection with the development of land or buildings subject to the provisions, requirements, and standards of this ordinance governing planned business development, the petitioner for such rezoning, special exception, exemption or variance, in connection with such planned business development shall petition the Plan Commission or Board of Zoning Appeals, as appropriate, for such rezoning, special exception, exemption or variance, and shall notify surrounding property owners of such petition. Prior to the hearing on such petition, the petitioner shall submit evidence to the

Plan Commission or Board, as appropriate, that all land owners located within a 500 foot radius of the proposed development have been notified in writing of the petitioner's request for such rezoning, special exception, exemption or variance. Such notice shall inform the notified land owners of the date for the public hearing to be held by the Board of Zoning Appeals or Plan Commission. For the purpose of determining the names and addresses of such land owners, the most recent real estate tax assessment records as they appear in the office of the assessor of Hamilton County, Indiana on the date the petition for rezoning, special exception, exemption or variance is filed shall be deemed the true names and addresses of persons entitled to notice. Outlot development area shall not exceed 25 percent of the total development.

2. Minimum Tract Requirements -

- In Planned Business Developments for General Business districts - A minimum of 10 acres
- In Planned Business Developments for Local business districts - A minimum of 5 acres
- Enclosed Industrial districts (Industrial Parks) - A minimum of 10 acres
- Where Local and General Business are included in the same Planned Business Development, the 10 acre minimum shall apply

3. Permitted Uses -

- All businesses approved for Local Business as shown on Figure 2 are eligible for Planned Local Business Development.
- All businesses approved for General Business as shown on Figure 2 are eligible for Planned General Business Development.

4. Special Exceptions -

a) Planned Business Development - Local Business -

- Auto rustproofing
- Auto sales, new or used, service and repair
- Gasoline service stations
- Liquor stores and tavern
- Fruit stands, temporary
- Any outdoor food and beverage business
- Self-service food and beverage business
- Carry-out food and beverage business
- Drive-in food and beverage stores
- Convents, monasteries, theological schools, rectories, parish houses
- Manufactured home parks - in accordance with the provisions of WC 16.04.090

- Material recycling facilities (MRFs)
- b) Planned Business Development - General Business -
- Auto rustproofing
 - Gasoline service stations
 - Coal
 - Salt storage - outside
 - Night clubs, bars and restaurants which have less than 50% of their proposed gross sales derived from food sales
 - General construction companies
 - Lumber yards - including millwork
 - Mobile home sales
 - Liquor stores and taverns
 - Industrial schools or training facilities
 - Amusement parks
 - Convents, monasteries, theological schools, rectories, parish houses
 - Large animal hospitals
 - Manufactured home parks - in accordance with the provisions of WC 16.04.090
 - Outdoor theaters
 - Material recycling facilities (MRFs)
- c) Where in districts requiring Planned Business Development for Local Business, General Business and Special Business, there is proposed to be developed an enclosed shopping center with 100,000 square feet or more of gross leasable area, the special exception businesses and other uses as listed in 4.a) and 4.b) of this subsection may be exempted from such special exception restrictions if written approval is obtained from the Board of Zoning Appeals indicating which businesses and other uses listed as special exceptions may be included in such enclosed shopping center or in areas adjacent to such enclosed shopping center as appurtenant uses within 300 feet of the shopping center. The written approval by the Board of Zoning Appeals for such exemption must be granted on or before final plans are approved by the Plan Commission for the project. Such approval shall be recorded in the minutes of the Board of Zoning Appeals and a copy transmitted to the petitioner.

5. Minimum Frontage Required on Street of Primary Access-

- 10 acre minimum - 660 feet
- 5 acre minimum - 330 feet

6. Minimum Setback Lines -

- Front Yard - 10 acre minimum - 60 feet
 5 acre minimum - 30 feet

- Side Yard - 10 acre minimum - 15 feet
5 acre minimum - 15 feet
 - Rear Yard - 10 acre minimum - 20 feet
5 acre minimum - 20 feet
 - Minimum Lot Width at Building Line - None
7. Minimum Number of Structures - None
8. Minimum Size of Structures - None
9. Application Procedure - Applications for a Planned Business Development shall consist of the following steps:
- a) Preliminary plans presented to the Building Commissioner must:
- Be drawn to scale.
 - Show dimensional boundaries of property to be developed.
 - Indicate location, type and size of structures, and use and arrangement of all structures (details are not necessary).
 - Show the proposed number of parking and loading spaces.
 - Show the proposed locations and width of driveways, entrances and exits.
 - Show all areas to be maintained as permanent open space.
 - Provide a traffic study to include:
 - 1) A comparative analysis of present capacity of streets adjacent to the proposed center with potential capacity volumes, taking into consideration the effect the proposed center will have upon engendering additional traffic; and
 - 2) A circulation plan for all streets (existing and proposed) which will show recommendations for controlling, signaling, channeling, storing and warning traffic.
 - Include a statement of financial responsibility which demonstrates the ability of the developer of the center to proceed with construction and development
 - Show locations and dimensions of sidewalks
 - Provide for dedication of any right-of-ways that may be necessary
 - Show location of any easements for utilities, public or private
 - Include a statement of proposed covenants to insure that the development plan is reasonable
 - Insure proper drainage

- Provide a statement as to the proposed timetable for development if the project is to be done in phases
 - Submit a preliminary plan indicating the proposed location of land within the property to be developed which may be developed as out-lots of the shopping center or other business. Such plan shall indicate the proposed general location of such future buildings and construction requirements such as exterior design and height that shall be met by the developer, tenant, or owner including landscaping requirements, parking, traffic control patterns, and other information which will satisfy the Plan Commission as to the total size and impact of the planned business development.
- b) The Building Commissioner shall review all materials, plans and schedules and make recommendations to the Plan Commission as to the suitability of the development as to:
- Unified design
 - Safe ingress and egress
 - Adequate and properly located parking and loading facilities
- c) After approval of the preliminary plans by the Plan Commission, the following is required for final plan approval:
- Engineering plans and specifications for all sanitary sewers, storm sewers, and water distribution lines, as well as telephone, gas and electric utility lines
 - Any changes from preliminary plans
 - Deed or easement agreements
 - Final construction schedule stating the date for final construction on the proposed development
 - File a surety bond or escrow agreement to insure the final completion of all site improvements which includes streets, drives, walks, walls, water mains, storm and sanitary sewers, and landscape plantings. The bond shall be made to the Town for and amount to be specified by the Town Council.
- I. General Variance - Where the developer of business located in a planned business development district can show the provisions of this ordinance would cause unnecessary hardship if strictly followed, and where in the opinion of the Plan Commission because of the type and number of businesses to be located in such planned business development, the required number of parking spaces or the required size of such parking spaces or the; number of loading berths or the required size or configuration of such loading berths for such businesses are not practical, then the Plan Commission may authorize a variance from such required standards of this section and such variance shall be entered into the minutes of the Plan Commission together with the reasoning for the departure from the required standards.

WC 16.04.060 Industrial Districts

- A. Performance Standards - The industrial uses defined below, including accessory buildings and uses, are permitted in the districts indicated in Figure 1 in accordance with the requirements of this section. No activity involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted unless specifically approved and licensed by the Town Council and then only in the OI district. Such activity shall be conducted in accordance with the rules promulgated by the Indiana State Fire Marshal. Such materials shall include, but are not limited to, all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT, HMX, PET, and picric acid, propellants and components thereof, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds such as acetylides, tetrazoles, and ozonides, strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; nuclear fuels, fissionable materials and products and reactor elements such as uranium 235 and plutonium 239.

The restrictions of this section shall not apply to (1) the activities of site preparation or construction, maintenance, repair, alterations, modification or improvement of buildings, equipment or other improvements on or within the lot line; (2) the operation of motor vehicles or other facilities for the transportation of personnel, materials or products; (3) conditions beyond the control of the user such as fire, explosion, accidents, failure or breakdown of equipment or facilities or emergencies; (4) safety or emergency warning signals or alarms necessary for the protection of life, limb or property.

1. EI - An enclosed industrial district is one for industry to conduct their operations entirely within enclosed buildings of any size and shall be used so as to comply with the standards in paragraph C. herein.
2. OI - An open industrial district is one for industry requiring both buildings and open area for manufacturing, fabricating, processing, extraction, heavy repairing, dismantling, storage or disposal of equipment, raw materials, manufactured products or wastes, and shall be used so as to comply with the standards in paragraph C. herein.
3. Standards for Enclosed and Open Industrial Uses:
 - a) Smoke -
 - For Enclosed Industrial district the emission of more than 70 smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are

prohibited, except that for one hour during any 24 hour period, this rate may be increased to 80 smoke units per stack up to and including Ringelmann No. 3 for the purging, soot blowing and fire cleaning.

- For Open Industrial districts the emission of more than 90 smoke units per hour per stack and emission in excess of Ringelmann No. 3 are prohibited, except that for a one hour period during the 24 hour period this rate may be increased to 120 smoke units per hour per stack, still at Ringelmann No. 3 for purposes of process purging, soot blowing and fire cleaning.
- b) Particulate Matter - The rate of emission of particulate matter from an individual process within the boundaries of any lot shall not exceed a figure of 0.06 pounds per 1,000 pounds of effluent gas for enclosed industrial use, not 0.2 pounds per 1,000 pounds of effluent gas for open industrial use. For enclosed industrial use and open industrial use not more than 50 percent by weight particles larger than 44 microns (325) mesh shall be allowed.
- c) Odor - Any enclosed or open industrial use activity or operation which releases odors to the atmosphere shall be so controlled as to insure that it will produce no public nuisance or hazard at or beyond the nearest residential district boundary line.
- d) Poisonous and Injurious Fumes and Gases - The emission of toxic or injurious fumes and gases shall be controlled so as to comply with the following:
The emission from any source shall not cause at or beyond any lot line, concentrations of toxic and/or injurious fumes and gases in excess of 10 percent for an enclosed industrial use, and 25 percent for an open industrial use, of the threshold limit as set for the fume or gas in question in the "Threshold Limit Values for Toxic Materials in Industry" issued by the Indiana Department of Environmental Management, from the American Conference of Governmental Hygienists, latest issue. The emission of any gas or fumes across lot lines in such concentrations as to be detrimental to or endanger public health, safety, comfort and welfare or shall cause injury or damage to property or business is prohibited.
- e) Glare and Heat - No enclosed or open industrial use, operation, activity or structure shall cause heat or glare in such a manner as to be a public nuisance at or beyond any residential or business district boundary.
- f) Vibration - Any enclosed or open industrial use creating intense earthshaking vibrations such as are created by a heavy drop forge shall be set back from a residential district boundary at least 250 feet, or at least 150 feet from a business district boundary. Earthshaking vibrations at the industrial property line shall not be in violation of this ordinance as long as the vibration is not perceptible without the aid of instruments.

g) Noise -

- 1) Enclosed Industrial Use - At no point 125 feet from the boundary of an enclosed industrial district, or any district which permits an enclosed industrial use, shall the sound pressure level of any operation or plant (other than background noises produced by sources not under the control of this chapter) exceed the decibel limits in the octave bands designated below:

Enclosed Industrial Use		
Octave Band Frequency Cycles Per Second	Maximum Permitted Sound Level (in decibels) 125 Feet From District Adjoining Residential District Boundaries	Maximum Sound Level (in decibels) 125 Feet From District Adjoining Business District Boundaries
0 to 75	75	80
76 to 150	70	75
151 to 300	65	70
301 to 600	59	64
601 to 1200	53	58
1201 to 2400	48	53
2401 to 4800	48	49
Above 4800	41	46

Sound levels shall be measured with a sound level meter and associated octave band analyzer or filter, manufactured in compliance with standards prescribed by the American Standards Association.

- 2) Open Industrial Use - At no point 125 feet from the boundary of an open industry district shall the sound pressure of any operation or plant (other than background noises produced by sources not under control of this chapter) exceed the decibel limits in the octave bands designated as follows:

Open Industrial Use		
Octave Band Frequency Cycles Per Second	Maximum Permitted Sound Level (in decibels) 125 Feet From District Adjoining Residential District Boundaries	Maximum Sound Level (in decibels) 125 Feet From District Adjoining Business District Boundaries
0 to 75	75	81
76 to 150	70	76
151 to 300	66	72
301 to 600	62	68
601 to 1200	57	63
1201 to 2400	53	59
2401 to 4800	49	55
Above 4800	45	51

Sound levels shall be measured with a sound level meter and associated octave band analyzer or filter, manufactured in compliance with standards prescribed by the American Standards Association.

- h) Fire Hazards - The storage, utilization or manufacture of solid materials, or products ranging from incombustible to moderate burning is permitted. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted provided the following conditions are met:
- For Enclosed Industrial use and Open Industrial use said materials shall be stored, utilized or manufactured in such a manner and protected by such means as approved by the Indiana State Fire Marshal
 - For Enclosed Industrial use and Open Industrial use the storage, utilization or manufacture of flammable liquids or gases which produce flammable or explosive vapors shall be permitted in accordance with the rules and regulations of the Indiana State Fire Marshall regulating the use, handling, storage and sale of flammable liquids - Official Regulation Number 5, effective July 23, 1973.
4. Other provisions and requirements for Enclosed Industrial districts and Open Industrial districts are as follows:
- The disposal of wastes discharged into public streams and sewage systems shall meet the requirements of the stream pollution control law of the State of Indiana (IC 13-1-3) as amended.
 - One-half of an alley abutting the rear of a lot may be included in the rear yard, but such alley space shall not be included for loading and unloading berths.

- In all districts permitting enclosed industrial districts or open industrial districts, it is permissible to erect more than one principal building devoted to enclosed industrial or open industrial use on a lot.
- Buildings may be erected higher than the normal maximum height of 60 feet in the enclosed industrial, open industrial, and general business districts, provided that buildings shall be set back from the required side yard lines and rear yard lines one foot for each two feet of height above 45 feet.
- Chimneys, cooling towers, elevator bulkheads, fire towers, scenery lofts, power transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
- The Plan Commission shall review and approve plans to assure adherence to developmental standards and overall conformity to the master plan and Zoning Ordinance.

B. EI - Enclosed Industry District -

1. Permitted Uses -

- All industrial uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the General Requirements and Standards of this section.
- All businesses listed under “Enclosed Industrial” as contained in Figure 2.

2. Special Exceptions -

- General construction companies
- Painting and decorating contractors - heavy commercial
- Electrical contractors - heavy commercial
- Plumbing contractors - heavy commercial
- Concrete contractors - heavy commercial
- Roofing contractors - heavy commercial
- Sheet metal contractors - heavy commercial
- Septic system contractors
- Ice and coal stations
- Coal yards
- Salt storage - outside
- Night clubs, bars and restaurants which have less than 50% of their proposed gross sales derived from food sales
- Kennels

- Lumber yards - including millwork
- Liquor stores
- Taverns
- Amusement parks
- Manufactured home parks - in accordance with the provisions of WC 16.04.090
- Convents, monasteries, theological schools, rectories, parish houses

Planned Business Developments for 5 or 10 acres or more for all classes of Local and General Businesses contained in Figure 2 do not require an approval as a special exception.

3. Minimum Tract Requirement - 3 Acres
4. Lot Frontage on Road - Not less than 70 feet
5. Minimum Setback Lines -
 - Front Yard - Not less than 100 feet on expressways, primary arterials, and secondary arterials. Not less than 40 feet on all other streets.
 - Side Yard - Not less than 20 feet in width except a side yard abutting a street or road shall be not less than 40 feet in width
 - Rear Yard - Not less than 20 feet in depth
 - Minimum Lot Width at Building Line - None
6. Maximum Building Height - Shall not exceed 60 feet
7. Minimum Gross Ground Level Space - None
8. Parking - Off-street parking shall be provided in accordance with the provisions in this chapter.
9. Loading and Unloading Berths - Loading and unloading berths shall be provided in accordance with the provisions of this chapter.

C. OI - Open Industrial District -

1. Permitted Uses - The uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the General Requirements and the Performance Standards of this section.

2. Special Exceptions -

- Amusements Parks
- Explosive, matches and fireworks manufacturing
- Abattoir
- Coke manufacturing
- Kennels
- Foundries
- Leather products manufactured from finished leather
- Thermal, electric, steam and atomic power plants
- Creosote manufacturing and treatment
- Auto Race Tracks and Speedways
- Fat Rendering and Fertilizer Manufacturing
- Heliports
- Leather Curing and Tanning
- Manufacture of Chemicals and Gasses
- Manufacture of Cement, Lime or Gypsum
- Manufacture of Detergents and Soaps
- Glue Manufacturing
- Malt Products, Brewery, Distiller of Liquor & Spirits
- Oil Processing, Refining and Manufacturing
- Open Hearths and Blast Furnaces
- Production of Emulsified Asphalt and Preparation of Asphaltic Concrete Paving Materials
- Radio, Facsimile, TV and Microwave Towers
- Reduction Plants
- Railroad and Other Mass Transit Right-of-Way and Track
- Sand, Gravel, or Aggregate Processing
- Rock Crushing , Grinding or Milling
- Slaughtering and Allied food Processing
- Slaughter House
- Stockyards - for Shipping, Holding and Sale of Animals
- Tar, Tar Paper Products -Manufacture and Processing
- Scrap Metal, Junk or Salvage Storage
- Auto Wrecking or Shredding
- Material Recycling Facilities (MRF's)
- Commercial Composting Facilities

3. Minimum Tract Requirement - 3 Acres

4. Front Frontage on Road - Not less than 70 feet

5. Minimum Setback Lines -

- Front Yard - Not less than 100 feet on expressways, primary arterials, and secondary arterials. Not less than 40 feet on all other streets.
- Side Yard - Not less than 20 feet in width except a side yard abutting a street or road shall be not less than 40 feet in width
- Rear Yard - Not less than 40 feet in depth
- Minimum lot width at building line - None

6. Maximum Building Height - Shall not exceed 60 feet

7. Minimum Gross Ground Level Space Required - None

8. Parking - Off-street parking shall be provided in accordance with the provisions of this ordinance.

9. Loading and Unloading Berths - Loading and unloading berths shall be provided in accordance with the provisions of this ordinance.

D. EI-PD - Enclosed Industrial - Planned Development - This district is established for the purpose of developing businesses that qualify as enclosed industrial and used as a part of a comprehensive development including industrial parks.

1. Permitted Uses -

- All industrial uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the general requirements and standards of this section.
- All businesses listed under “Enclosed Industrial” as contained in Figure 2.

2. Special Exceptions -

- General Construction Companies
- Painting and Decorating Contractors - Heavy Commercial
- Electrical Contractors - Heavy Commercial
- Plumbing Contractors - Heavy Commercial
- Concrete Contractors - Heavy Commercial
- Roofing Contractors - Heavy Commercial
- Sheet Metal Contractors - Heavy Commercial
- Septic System Contractors
- Ice and Coal Stations

- Coal Yards
- Salt Storage - Outside
- Night Clubs, Bars and Restaurants which have less than 50% of their proposed gross sales derived from food sales
- Kennels
- Lumber Yards - Including Millwork
- Liquor Stores
- Taverns
- Amusement Parks
- Manufactured Home Parks - In accordance with the provisions of WC 16.04.090
- Convents, Monasteries, Theological Schools, Rectories, Parish Houses
- Material Recycling Facilities (MRFs)
- Commercial Composting Facilities

Planned Business Developments for 5 or 10 acres or more for all classes of Local and General Businesses contained in Figure 2 do not require an approval as a special exception.

3. Minimum Tract Requirement - 20 acres
4. Lot Frontage on Road - Not less than 200 feet
5. Minimum Setback Lines - Front, Side and Rear Yards - Not less than 100 feet from expressways, primary arterials, and secondary arterials. Not less than 40 feet from all other streets.
6. Maximum Building Height - Shall not exceed 60 feet
7. Minimum Ground Level Square Footage - None. However, not more than eighty (80) percent of the total area of any lot or any development on multiple lots shall be occupied by buildings, roads, parking area, drainage facilities and other accessory uses.
8. Parking - Off-street parking shall be provided in accordance with the provisions of this chapter.
9. Loading and Unloading Berths - Loading and unloading berth shall be provided in accordance with the provisions of this chapter.
10. Application Procedures - Applications for a planned general office development shall consist of the following steps:

a) Preliminary plans presented to the Building Commissioner must -

- Be drawn to scale.
- Show dimensional boundaries of property to be developed.
- Indicate location, type and size of structures, and use and arrangement of all structures (details are not necessary).
- Show the proposed number of parking and loading spaces.
- Show the proposed locations and width of driveways, entrances and exits.
- Show all areas to be maintained as permanent open space.
- Provide a traffic study to include:
 - 1) A comparative analysis of present capacity of streets adjacent to the proposed development with potential capacity volumes, taking into consideration the effect the proposed development will have upon engendering additional traffic; and
 - 2) A circulation plan for all streets (existing and proposed) which will show recommendations for controlling, signaling, channeling, storing and warning traffic.
- Include a statement of financial responsibility which demonstrates the ability of the developer to proceed with construction and development
- Show locations and dimensions of sidewalks
- Provide for dedication of any right-of ways that may be necessary
- Show location of any easements for utilities, public or private
- Include a statement of proposed covenants to insure that the development plan is reasonable
- Insure proper drainage
- Provide a statement as to the proposed timetable for development if the project is to be done in phases
- Submit a preliminary plan indicating the proposed location of land within the property to be developed. Such plan shall indicate the proposed general location of such future buildings and construction requirements such as exterior design and height that shall be met by the developer, tenant, or owner including landscaping requirements, parking, traffic control patterns, and other information which will satisfy the Plan Commission as to the total size and impact of the planned business development

- b) After approval of the preliminary plans by the Plan Commission, the following is required for final plan approval:
- Engineering plans and specifications for all sanitary sewers, storm sewers, and water distribution lines, as well as telephone, gas and electric utility lines
 - Any changes from preliminary plans
 - Deed or easement agreements
 - Final Construction schedule stating the date for final construction on the proposed development
 - File a surety bond or escrow agreement to insure the final completion of all site improvements which includes streets, drives, walks, walls, water mains, storm and sanitary sewers, and landscape plantings. The bond shall be made to the town for an amount to be specified by the Town Council.
 - Landscaping Plan
- E. OI-PD - Open Industrial - Planned Development - This district is established for the purpose of developing businesses that qualify as open industrial and used as a part of a comprehensive development including industrial parks.
1. Permitted Uses - All open industrial uses as outlined in Figure 2 are permitted in this district provided the use conforms with the applicable requirements set forth in the general requirements and standards of this section.
 2. Special Exceptions -
 - Coal Yards
 - Ice and Coal Station
 - Scrap Metal, Junk or Salvage, Auto Wrecking-Shredding
 - Salt Storage
 - Trucking Companies
 - Abattoir (Slaughterhouse)
 - Coke Manufacturing
 - Concrete Mixing
 - Creosote Manufacturing and Treatment
 - Fat Rendering and Fertilizing Manufacturing
 - Foundries
 - Leather Curing
 - Malt Products, Brewery, Distillation of Liquor and Spirits
 - Manufacturing of Cement, Lime, Gypsum
 - Manufacturing of Chemicals and gases
 - Manufacturing of Detergents and Soaps
 - Manufacturing of Explosives, Matches and Fireworks
 - Manufacturing of Glue

- Manufacturing of Paper
- Manufacturing of Railroad Equipment
- Motor Truck Terminals
- Oil Processing and Refining, Manufacturing
- Hazardous Waste Facility
- Open Hearths and Blast Furnaces
- Production of Emulsified Asphalt and Asphalt Plants
- Reduction Plants
- Rock Crushing, Grinding, or Milling
- Sand, Gravel or Aggregate - Washing, Screening, Processing
- Slaughter House
- Slaughtering and Allied Food Processing
- Stockyards
- Tar and Tar Paper
- Atomic Power Plants
- Amusement Park
- Auto or Motorcycle Track
- Pet Cemeteries
- Kennels

Planned Business Developments for 5 or 10 acres or more for all classes of Local and General Businesses contained in Figure 2 do not require an approval as a special exception.

3. Minimum Tract Requirement - No real estate shall have an initial zone classification of OI-PD unless it is at least 20 acres in gross area.
4. Minimum Lot Size - None
5. Lot Frontage on Road - Not less than 200 feet
6. Minimum Setback Lines - Front, Side and Rear Yards - Not less than 100 feet from expressways, primary arterials, and secondary arterials. Not less than 40 feet from all other streets.
7. Maximum Building Height - Shall not exceed 60 feet
8. Minimum Ground Level Square Footage - None. However, not more than eighty percent of the total area of any lot or any development on multiple lots shall be occupied by buildings, roads, drainage facilities and other accessory uses.
9. Parking - Off-street parking shall be provided in accordance with the provisions of this chapter.

10. Loading and Unloading Berths - Loading and unloading berths shall be provided in accordance with the provisions of this chapter.

11. Application Procedures - Applications for a Planned General Office Development shall consist of the following steps:

a) Preliminary plans presented to the Building Commissioner must:

- Be drawn to scale.
- Show dimensional boundaries of property to be developed.
- Indicate location, type and size of structures, and use arrangement of all structures (details are not necessary).
- Show the proposed number of parking and loading spaces.
- Show the proposed locations and width of driveways, entrances and exits.
- Provide a traffic study to include:
 - 1) A comparative analysis of present capacity of streets adjacent to the proposed development with potential capacity volumes, taking into consideration the effect the proposed development will have upon engendering additional traffic; and
 - 2) A circulation plan for all streets (existing and proposed) which will show recommendations for controlling, signaling, channeling, storing and warning traffic.
- Include a statement of financial responsibility which demonstrates the ability of the developer to proceed with construction and development
- Show locations and dimensions of sidewalks.
- Provide for dedication of any right-of ways that may be necessary.
- Show location of any easements for utilities, public or private.
- Include a statement of proposed covenants to insure that the development plan is reasonable.
- Insure proper drainage.
- Provide a statement as to the proposed timetable for development if the project is to be done in phases.
- Submit a preliminary plan indicating the proposed location of land within the property to be developed. Such plan shall indicate the proposed general location of such future buildings and construction requirements such as exterior design and height that shall be met by the developer, tenant, or owner including landscaping requirements, parking, traffic control patterns, and other information which will satisfy the Plan Commission as to the total size and impact of the planned business development.

- b) After approval of the preliminary plans by the Plan Commission, the following is required for final plan approval:
- Engineering plans and specifications for all sanitary sewers, storm sewers, and water distribution lines, as well as telephone, gas and electric utility lines.
 - Any changes from preliminary plans.
 - Deed or easement agreements.
 - Final Construction schedule stating the date for final construction on the proposed development.
 - File a surety bond or escrow agreement to insure the final completion of all site improvements which includes streets, drives, walks, walls, water mains, storm and sanitary sewers, and landscape plantings. The bond shall be made to the town for an amount to be specified by the Town Council.
 - Landscaping Plan.

WC § 16.04.070 US Highway 31 Overlay Zone

It is the purpose of the United States (US) Highway 31 Overlay Zone to promote the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering US Highway 31 in Washington Township, Hamilton County.

US Highway 31 is a limited access highway and an important entrance corridor to the Town of Westfield. It is the further purpose of the US Highway 31 Overlay Zone to preserve the aesthetic qualities of those bordering properties through -

- The promotion of coordinated development in the US Highway 31 Overlay Zone;
 - The establishment of basic standards for structures constructed on the properties within the US Highway 31 Overlay Zone which permit innovative site designs and at the same time encourage efficient land usage; and,
 - The establishment of lot development standards which will encourage substantial capital investments for the development of those properties.
1. US Highway 31 Overlay Zone Boundaries - The boundaries of the US Highway 31 Overlay Zone are hereby established for an area of 1320 feet on either side of the right-of-way for United States Highway 31 in Washington Township, Hamilton County, extending from 146th Street to 216th Street. (see Figure WC 16.04.070 A)
 2. Permitted Uses - All uses permitted by right in the underlying zoning districts except the following: advertising and business signs (including fabrication); auction room; automobile/mobile home rental/sales/service/repair; automobile gas/service station; automobile/truck cleaning, service, rental and repair; auto parts sales/tire and auto service center; auto rustproofing; auto storage; billiard parlor; boarding/lodging house; boat and trailer sales and service; bowling alley; carnivals, fairs, circuses, etc.; car wash; carry-out food and beverages; caskets and casket supplies (mortuary); cemetery; cemetery monument sales; cemetery monuments and tombstones manufacture (including engraving); charitable donation pick-up station; coal yards; cold storage locker; concrete contractors – heavy commercial; custard stands; discount stores over 10,000 square feet; distributors – inside storage; distributors – outside storage; electrical contractors, heavy commercial; farm implement sales and service; feed stores; free standing fast food establishments/drive-in food and beverage; frozen food stores and lockers; fruit stands, permanent or temporary; fuel or ice sales; garden and lawn materials and supply stores; general construction company; glass fabrication and installation; grain elevator; greenhouses, retail; gymnasiums; hardware stores; helicopter/airplane facilities; home remodeling company; home remodeling supplies and materials; ice and coal stations; industrial uses with outside storage; junk yard/salvage yard; kennel; industrial laundry/dry cleaning plant; laundromats and self-service dry cleaning; lumber/building materials; lumber yards – including millwork; major appliance store; machinery/equipment sales; mineral extraction burrow pit, etc.; miniature golf, archery, driving range trampoline centers; mobile home court; model display homes and garages;

motor bus/railroad passenger station; motorcycle sales, service, repair and outdoor display; newspaper distribution station; nightclubs, bars and restaurants which have less than 50% of their proposed gross sales derived from food sales; nursery plants, retail; outdoor food and beverage sales; outdoor theater; painting and decorating contractors – heavy commercial; photo pick-up station; plumbing contractors – heavy commercial; plumbing showrooms and shop; race track; radio/television transmission tower; raising non-farm animals and fowl; recreational vehicles sales; recycling collection systems; riding stable; roadside sales stand, temporary or permanent; roller and ice skating rinks; roofing contractors – heavy commercial; root beer stands; salt storage – outside; sanitary landfill/refuse dump; scrap metal, junk or salvage storage, auto wrecking-shredding; self-service food and beverage places; septic system contractors; sheet metal shop/contractors – heavy commercial; self storage facilities; storage and transfer (household goods); storm doors, windows, awnings, siding contractors – manufacture; taverns; taxidermist; theaters – indoor; tire recapping; tobacco shops; tool and light equipment rental; trailer rentals; travel trailer sales and rentals; contractors with outside storage; transportation facilities related to industry; trucking companies; variety stores; veterinary hospital with kennel; welding shop; independent warehousing; warehouses – inside storage; wholesalers – inside storage; airports and landing fields; amusement parks; auto and motorcycle race tracks and speedways; book stores, adult; Christmas tree sales; correctional institutions; feed lots, confined commercial; garbage feeding and disposal; kennels – including outdoor runs; livestock auction sale barns; lake developments for recreation; large animal hospital; masseurs and public baths; mobile home parks; outdoor theaters; public and private camps; raising small animals for biological purposes; raising animals for furs or pets; riding academies; riding stables; sanitary landfill; utilities – not regulated by Indiana Utility Regulatory Commission; wireless communication service facilities. Also excepted from use within the US 31 Overlay District are all of the uses listed on “Figure 2, Industrial Businesses” except (these uses are permitted): data processing; engineering and research labs; manufacture and assembly of communication equipment; manufacture of jewelry; manufacture of optical goods; manufacture of recording instruments, phonograph records, etc.; pharmaceutical, biological, medicine and cosmetic manufacture; railroad and other mass transit right-of-way and track.

3. Accessory Buildings and Uses - All accessory buildings and uses permitted in the underlying zoning districts, except that any detached accessory building on any lot shall have on all sides the same architectural features and shall be architecturally compatible with the principal building or buildings.
4. Minimum Lot Size - Except as otherwise provided, a lot shall contain a minimum of 217,800 square feet.

If a lot was recorded prior to November 1, 1989, and said lot does not contain the minimum area required by this ordinance for lots in the US Highway 31 Overlay Zone, then, notwithstanding the minimum lot size requirements for lots in the US Highway 31 Overlay Zone, said lot (“undersize Lot”) may be used for any use permitted in the US Highway 31 Overlay Zone provided:

- a) At the time of recordation of the undersized lot or on the record date, the undersize lot met the requirements for minimum lot size then in effect for a lot in the underlying zoning district;
- b) The owner of the undersize lot does not own any adjoining vacant land (not separated by a street, public way or easement) which, if combined with the undersized lot, would create a lot which conforms to the minimum lot size requirements of this chapter;
- c) All other applicable regulations of the US Highway 31 Overlay Zone can be met.

5. Height and Area Requirements -

- a) Maximum Building Height: The maximum height may not exceed 50 percent of the depth of the front yard. For purposes of this computation, where access to the lot is by a frontage road or which is between the lot and U.S. 31, the roadway width of such frontage road shall be added to the depth of the front yard.
- b) Minimum Building Height - All Uses - 14 feet, to the highest point of the roof for a building with a flat roof; 12 feet to the lowest eaves for a building with a gable, hip or gambrel roof.
- c) Minimum Front Yard-All Uses- 90 feet on US Highway 31
60 feet on all other streets, roads and highways

Determination of Front Yard - For purposes of applying the requirements of this chapter, the front yard of each lot in the US Highway 31 Overlay Zone, including any corner lot, shall be deemed to be any side of the lot which abuts the right-of-way of US Highway 31 or any other street, road or highway. Private parking areas may be located in the front yard so long as the nearest curb of any such parking area is not less than 25 feet distant from the principal buildings.

- d) Minimum Side Yard - All Uses - 45 feet
- e) Minimum Rear Yard - All Uses - 45 feet
- f) Minimum Aggregate of Side Yard - All Uses - 90 feet
- g) Minimum Lot Width - All Uses - The lot width must equal or exceed that amount which is one-half the depth of the lot. If a lot was recorded prior to November 1, 1989, and said lot does not meet the minimum lot width requirement for lots in the US Highway 31 Overlay Zone, then, notwithstanding the minimum lot width requirements for lots in the US Highway 31 Overlay Zone, said lot may be used for any use permitted in the US Highway 31 Overlay Zone provided:
 - At the time of recordation of said lot or the record date, said lot met the requirements for minimum lot width then in effect for the underlying zoning districts;

- The owner of said lot does not own any adjoining vacant land (not separated by a street, public way or interfering easement) which, if combined with said lot, would create a lot which conforms to the minimum lot width requirements of this chapter; and
 - All other applicable regulations of the US Highway 31 Overlay Zone can be met.
- h) Minimum Aggregate Gross Floor Area – Multifamily, Commercial/Business and Industrial uses - 15,000 square feet (excluding the floor area of any basement).
- i) Maximum Lot Coverage - All uses -
- If all buildings on the lot contain an aggregate gross floor area of less than 25,000 square feet, 35 percent of lot.
 - If all buildings on the lot contain an aggregate gross floor area of between 25,000 square feet and 74,999 square feet, 45 percent of lot.
 - If all buildings on the lot contain an aggregate gross floor area of between 75,000 square feet and 150,000 square feet, 55 percent of lot.
 - If all buildings on the lot contain an aggregate gross floor area in excess of 150,000 square feet, 65 percent of lot.
6. Loading Berth Requirements - As specified in the underlying zoning district, except that no loading or unloading berth or bay may be visible from US Highway 31; elsewhere in the development, such bays shall be completely screened by landscaping or other screening.
7. Landscaping - That portion of the front yard of the lot between the front line and a line which is 30 feet (“Greenbelt Distance”) from and parallel to the front line shall be landscaped in accordance with Chapter 7 and shall be unoccupied except by steps, walks, terraces, access driveways, lamp posts, signs and other similar structures (excluding a private parking area) permitted by this ordinance to be placed in a front yard. Where access to the lot is by way of a frontage road which is between the lot and the US Highway 31, the greenbelt distance shall be reduced by one-half of the roadway width of such frontage road; provided, however, that the greenbelt distance shall in no event be less than 15 feet. Inclusive of this landscaped portion of the front yard, a minimum of 20 percent of the lot surface area shall be landscaped.
8. Other Requirements -
- Outside Storage of Refuse - No outside, unenclosed storage of refuse shall be permitted on any lot. All refuse shall be contained in completely enclosed facilities; no refuse containers or enclosures shall be visible from US Highway 31.

- Utility Screening - All heating, ventilating, communication and like equipment for any facility shall be completely screened from view in a manner that is homogenous with the balance of the structure.
 - Landscaping/Lighting/Architectural Plan - The landscaping/lighting plan for the lot or lots on which any building is constructed or is to be constructed shall be in accordance with the provisions of this chapter, Chapter 6, Chapter 7 and any other applicable standards. The architectural plan of any building proposed to be built in the US Highway 31 Overlay Zone must exhibit pleasing scale and proportion and demonstrate compatibility with other buildings and structures in the same and adjacent developments. A minimum of three (3) materials shall be used for building exteriors, and must include stone or brick. Buildings shall be designed with a minimum of eight (8) external corners to eliminate box buildings. Sloped roofs of 100 feet or more must include a gable, dormer or other change in roof plane.
 - Parking - The required number of parking spaces for off-street parking shall be in accordance with the provisions of WC 16.04.120 of the "Comprehensive Zoning Ordinance of Westfield-Washington Township 1977" as amended.
 - Frontage Roads - All frontage road intersections within this corridor shall be placed a minimum of 500 feet from the right-of-way of US Highway 31 and shall otherwise conform to all INDOT Standards.
9. Exemption - Any alterations to existing buildings or development of additional structures for business existing at the time of this ordinance shall be exempt from the provisions of this ordinance but shall be subject to the approval of the Plan Commission. However, if any existing business ceases to operate and the facility becomes a new type of business then it shall be subject to the provisions of this ordinance.
 10. Disclaimer on Rezoning - The US Highway 31 Overlay Zone criteria and standards do not rezone any land. The provisions of the US Highway 31 Overlay Zone apply to all zoning classifications and to land uses that are designated as non-conforming under the "Comprehensive Zoning Ordinance of Westfield-Washington Township 1977", as amended.
 11. Board of Zoning Appeals - All uses and standards of this section of the "Comprehensive zoning Ordinance of Westfield-Washington Township 1977" may be subject to variances as approved by the Board of Zoning Appeals pursuant to WC 16.04.170 of the "Comprehensive Zoning Ordinance of Westfield-Washington Township 1977", as amended.

Washington Township
Hamilton County, IN

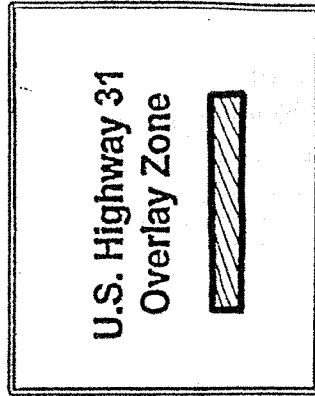
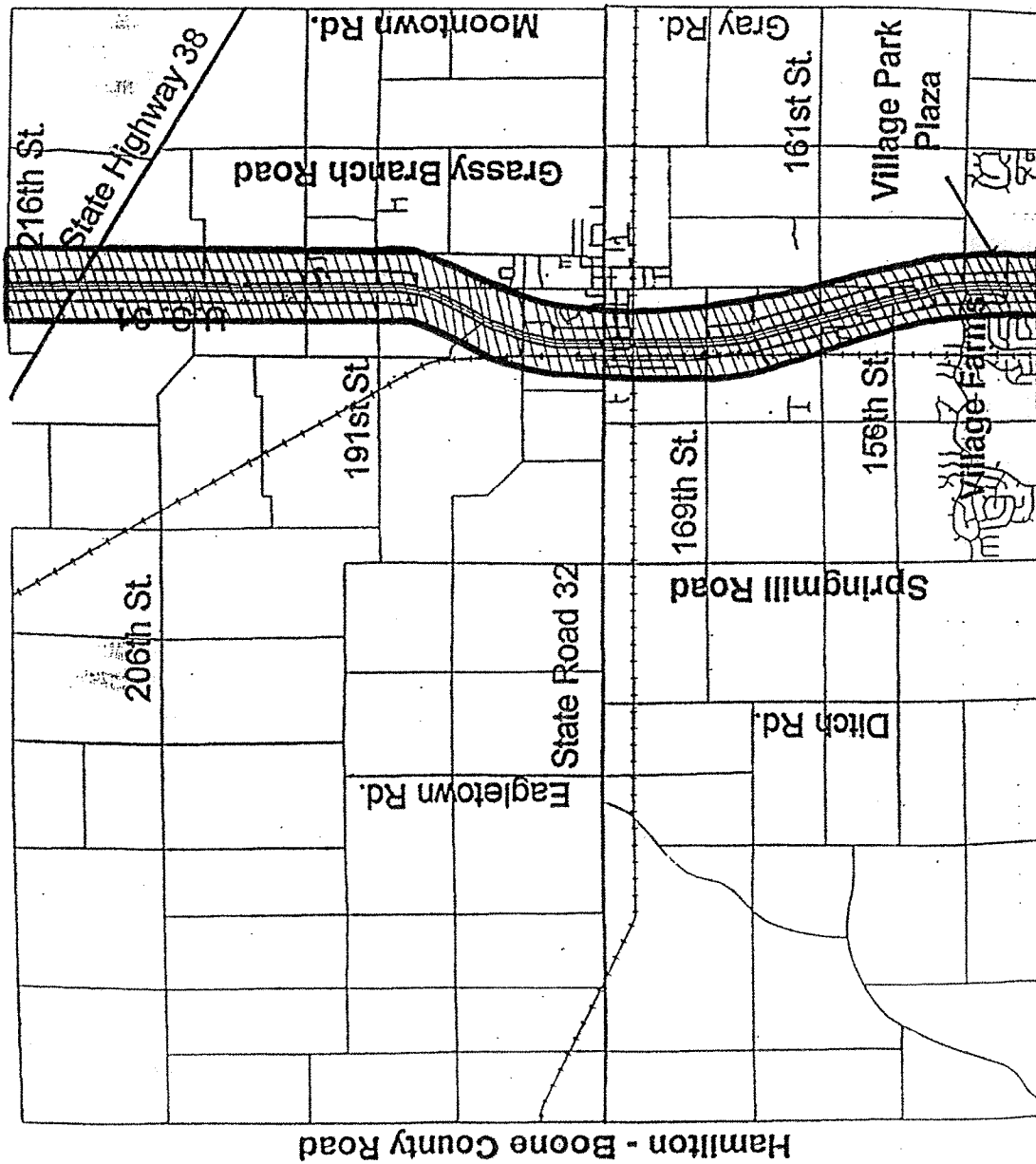


Figure WC 16.04.070 A



WC 16.04.075 State Highway 32 Overlay Zone

It is the purpose of the State Highway 32 overlay zone to promote the public health, safety, comfort, convenience, and general welfare by providing for consistent and coordinated treatment of the properties bordering State Highway 32 in Washington Township, Hamilton County.

1. State Highway 32 Overlay Zone Boundaries - The boundaries of the State Highway 32 Overlay Zone are hereby established for an area of 600 feet on either side of the right-of-way of State Highway 32 extending from the west boundary of Hamilton County to U.S. 31, excluding the original platted towns of Jolietville and Eagletown. (see Figure WC 16.04.075 A)
2. Permitted Uses - All uses permitted by right in the underlying zoning districts.
3. Accessory Buildings and Uses - All accessory buildings and uses permitted in the underlying zoning districts, except that any detached accessory building on any lot shall have on all sides the same architectural features as the principal building or buildings with which it is associated.
4. Minimum Lot Size - Lots shall contain a minimum of 217,800 square feet (5 acres).

If a lot was recorded prior to November 1, 1990, and said lot does not contain the minimum area required by this ordinance for lots in the State Highway 32 Overlay Zone, then, notwithstanding the minimum lot size requirements for lots in the State Highway 32 overlay zone, said lot ("undersize lot") may be used for any use permitted provided:

- At the time of recordation of the undersized lot or on the record date, the undersize lot met the requirements for minimum lot size then in effect for a lot in the underlying zoning district;
- The owner of the undersize lot does not own any adjoining vacant land (not separated by a street, public way or interfering easement) which, if combined with the undersized lot, would create a lot which conforms to the minimum lot size requirements of this chapter; and
- All other applicable regulations of the State Highway 32 Overlay Zone can be met.

5. Height and Area Requirements -

- a) Maximum Building Height - As specified in the underlying zoning district, except as follows:
 - All uses - 60 feet, except that the maximum height may not exceed 50 percent of the depth of the front yard. For purposes of this computation, where access to the lot is by a frontage road which is between the lot and State Highway 32, the roadway width of such frontage road shall be added to the depth of the front yard.
- b) Minimum Building Height - All Uses - 14 feet, to the highest point of the roof for a building with a flat roof; 12 feet to the lowest eaves for a building with a gable, hip or gambrel roof.
- c) Minimum Front Yard - All Uses - 100 feet
- d) Minimum Side Yard - All Uses - 45 feet
- e) Minimum Rear Yard - All Uses - 45 feet
- f) Minimum Lot Width - All Uses - The lot width must equal or exceed that amount which is one-half the depth of the lot. If a lot was recorded prior to November 1, 1990, and said lot does not meet the minimum lot width requirements for lots in the State Highway 32 Overlay Zone, then, notwithstanding the minimum lot width requirements for lots in the State Highway 32 Overlay Zone, said lot may be used for any use permitted, provided:
 - At the time of recordation of said lot or the record date, said lot met the requirements for minimum lot width then in effect for the underlying zoning districts;
 - The owner of said lot does not own any adjoining vacant land (not separated by a street, public way or interfering easement) which, if combined with said lot, would create a lot which conforms to the minimum lot width requirements of this ordinance; and
 - All other applicable regulations of the State Highway 32 Overlay Zone can be met.
- g) Minimum Gross Floor Area - All Uses - 7,500 square feet (excluding the floor area of any basement).
- h) Maximum Lot Coverage - All Uses -

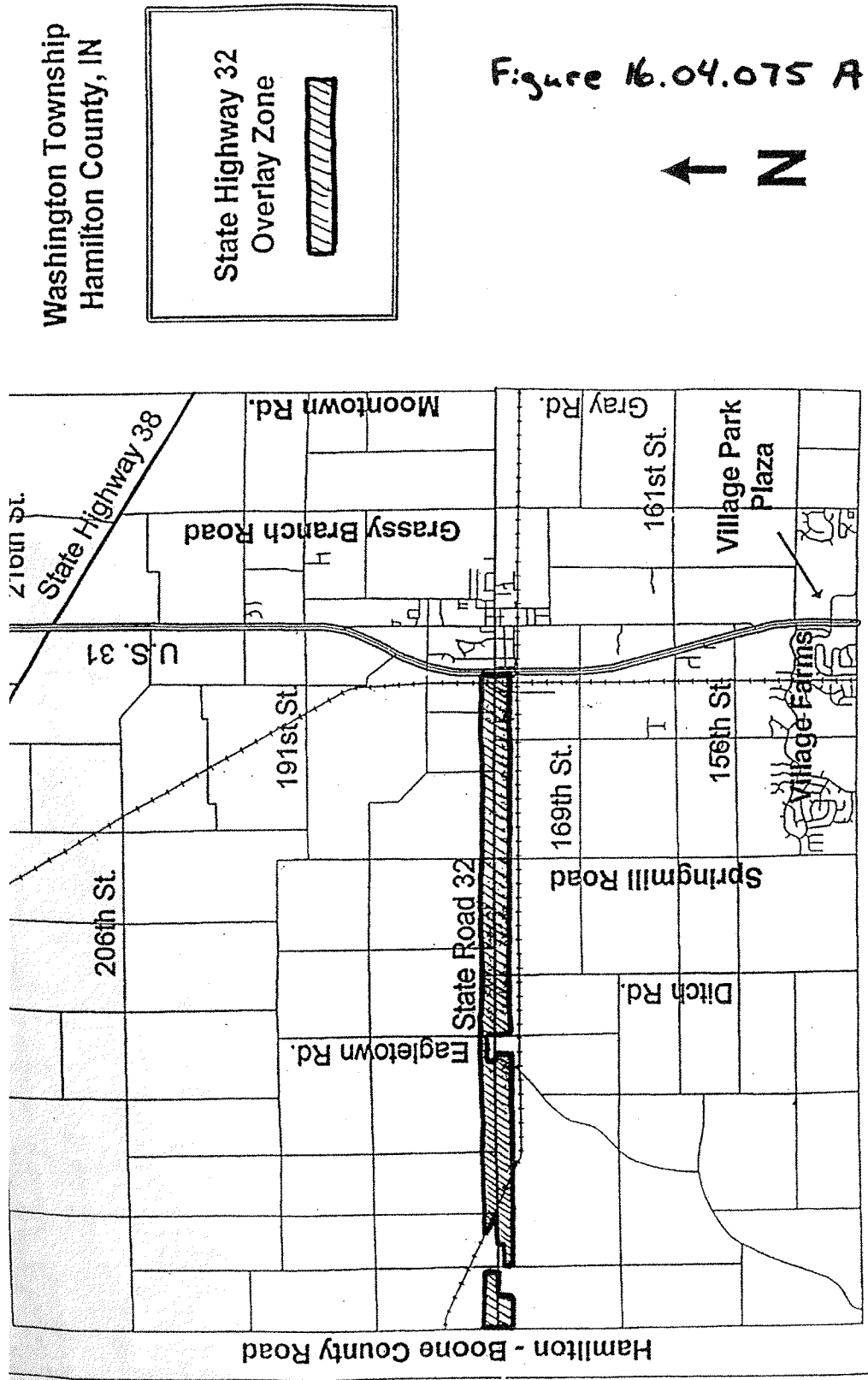
- If all buildings on the lot contain an aggregate gross floor area of less than 25,000 square feet, 35 percent of lot.
- If all buildings on the lot contain an aggregate gross floor area of between 25,000 square feet and 74,999 square feet, 45 percent of lot.
- If all buildings on the lot contain an aggregate gross floor area of between 75,000 square feet and 150,000 square feet, 55 percent of lot.
- If all buildings on the lot contain an aggregate gross floor area in excess of 150,000 square feet, 65 percent of lot.

Determination of Front Yard - For purposes of applying the requirements of this chapter, the front yard of each lot in the State Highway 32 Overlay Zone, including any corner lot, shall be deemed to that side of the lot which is closest to the right-of way of State Highway 32. Private parking areas may be located in front yards; however, such parking areas must be located at least twenty-five (25) feet from the principal building.

6. Loading Berth Requirements - As specified in the underlying zoning district, except that any loading or unloading berth or bay which faces or is visible from State Highway 32 shall be screened by landscaping or other screening.
7. Landscaping - That portion of the front yard of the lot between the front line and a line which is 30 feet ("Greenbelt Distance") off of and which runs parallel to the front line shall be landscaped and shall be unoccupied except by steps, walks, terraces, driveways, lampposts, signs.
8. Other Requirements -
 - Utility Screening - All heating, ventilating, communication, and other similar equipment located on the roof of any facility shall be properly screened from view in a manner that is homogenous with the balance of the structure.
 - Landscaping/Lighting/Architectural Plan - The architectural plan of any building and the landscaping/lighting plan for the lot or lots on which any building is constructed or is to be constructed shall be in accordance with the provisions of this section.
 - Parking - The required number of parking spaces for off-street parking shall be in accordance with the provisions of WC 16.04.120 of the Westfield - Washington Township Comprehensive Zoning Ordinance.

- Frontage Roads - All frontage road intersections within this corridor shall be placed a minimum of five hundred (500) feet from the right-of-way of State Highway 32.
9. Disclaimer on Rezoning - The State Highway 32 Overlay Zone does not rezone any land for any purpose.
 10. Board of Zoning Appeals - All uses and standards of this section may be subject to variances as approved by the Board of Zoning Appeals pursuant to section 16.04.170 of the Westfield - Washington Township Comprehensive Zoning Ordinance.

Figure 16.04.075 A



WC 16.04.077 State Highway 32 Landscape Overlay Zone

It is the purpose of the State Highway 32 Landscape Overlay Zone to promote the public health, safety, comfort, and general welfare by providing for consistent and coordinated landscaping of the properties bordering State Highway 32 in Washington Township, Hamilton County.

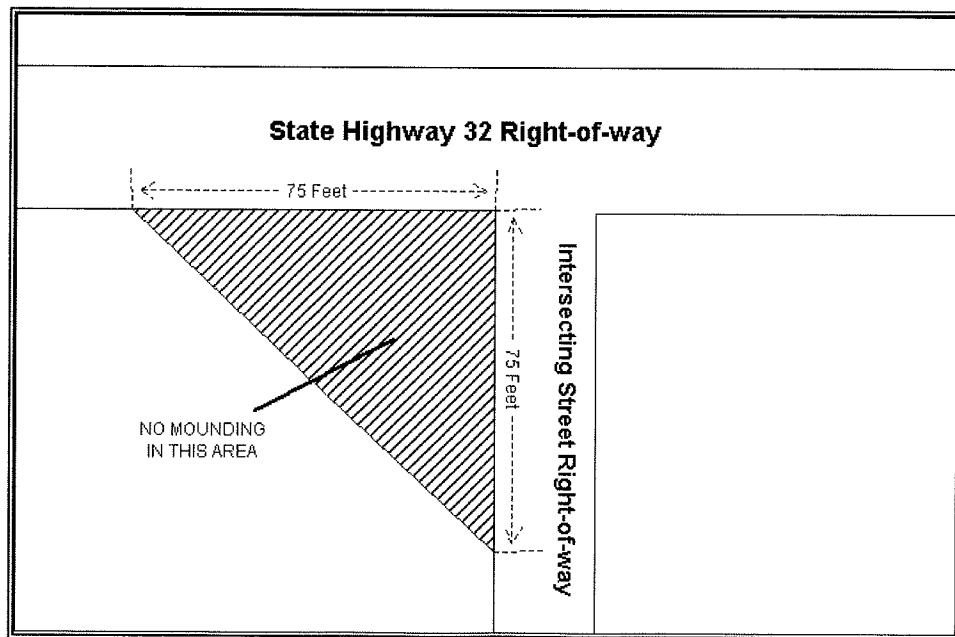
1. Application - This section (WC 16.04.077) shall apply to all land uses in all zoning districts that lie within the following described boundaries from the date at which this section is adopted.
2. State Highway 32 Landscape Overlay Zone Boundaries - The boundaries of the State Highway 32 Landscape Overlay Zone are hereby established for an area of 600 feet on either side of the right-of-way of State Highway 32, extending across the entire Township of Washington in Hamilton County, Indiana; except that portion of State Highway 32 which lies between U.S. 31 and Grassy Branch/Carey Road; and that portion which lies within the originally platted towns of Jolietville and Eagletown. (see Figure WC 16.04.077 A)
3. Landscaping - In conjunction with other landscaping requirements established in the Westfield - Washington Township Comprehensive Zoning Ordinance, all development activities in the State Highway 32 Landscape Overlay Zone shall meet the following minimum landscaping requirements:
 - a) Frontage Along State Highway 32
 - All development activities on properties having frontage on State Highway 32 shall include construction of landscaping consistent with that which is established in Figure WC 16.04.077 B of this section.
 - This exhibit illustrates four shade trees, six ornamental trees, and five evergreen trees to be planted every two hundred lineal feet in a staggered manner, on a mound, along such frontage (see 16.04.077, 3c for approved tree species).
 - All mounding along State Highway 32 shall be located at least forty (40) feet from the State Highway 32 right-of-way.
 - No mounding or landscaping shall be permitted to interfere with drainage and/or utilities.
 - It is not necessary that mounding required within the State Highway 32 Landscape Overlay Zone meet the requirements established elsewhere in the zoning ordinance.

WESTFIELD - WASHINGTON TOWNSHIP ZONING ORDINANCE

- Any partial section of the two hundred foot frontage landscaping depicted in Figure WC 16.04.077 B shall be landscaped in a manner which is proportionate to its size (i.e., a one hundred foot section of road frontage would be planted with half the number of trees as a two hundred foot section).
- When calculating the number of trees to be planted along such frontage results in a fraction, the number of trees required shall be rounded up to the nearest whole number (i.e., a calculation of 2.3 trees results in 3 trees being required).
- It is not necessary for such plantings to be placed identically to those illustrated in Figure WC 16.04.077 B; however, the Plan Commission shall have full authority to require any plans which differ from Figure WC 16.04.077 B to be changed in a way which is more consistent with Figure WC 16.04.077 B.

b) Intersections Along State Highway 32

- All development activities on properties which include or abut intersections along State Highway 32 (including all thoroughfares, driveways, and vehicular accesses to property) must include construction of landscaping consistent with that which is established in Figure WC 16.04.077 C of this Section.
- This exhibit illustrates daylilies, junipers, and six ornamental trees to be planted on the bulb-like termination of the frontage mounding facing State Highway 32 at each intersection. (see 16.04.077, 3c for approved tree species)
- Such mounding shall not be placed or permitted to remain on any corner lot within the triangular area formed by the intersection of rights-of-way lines and points seventy-five (75) feet from such intersection.



WESTFIELD - WASHINGTON TOWNSHIP ZONING ORDINANCE

- In the case of rounded rights-of-way intersections, the seventy-five (75) feet distance shall be measured from the point at which the rights-of-way lines would intersect if they were not to have been rounded at the corner.
- All mounding shall be located at least forty (40) feet from the State Highway 32 right-of-way and the rights-of-way of intersecting streets.
- No mounding or landscaping shall be permitted to interfere with drainage and/or utilities.
- It is not necessary that mounding required within the State Highway 32 Landscape Overlay Zone meet the requirements established elsewhere in the zoning ordinance.
- It is not necessary for such plantings to be placed identically to those illustrated in Figure WC 16.04.077 C; however, the Plan Commission shall have full authority to require any plans which differ from Figure WC 16.04.077 C to be changed in a way which is more consistent with Figure WC 16.04.077 C.

c) Approved Tree Species

Shade Trees - must be at least two and one half inches in diameter

- Purple Ash
- Honey Locust
- Red Maple

Ornamental Trees - must be at least two inches in diameter

- Winterking Hawthorn
- Crabapple
- Pear

Evergreens - must be a minimum of six feet in height

- Blackhill Spruce
- Colorado Blue Spruce
- Serbian Spruce
- Austrian Spruce

Other species may be substituted only with the explicit permission of the Plan Commission.

WESTFIELD - WASHINGTON TOWNSHIP ZONING ORDINANCE

The following list of tree species shall not be permitted to be used to meet the minimum landscaping requirements of the State Highway 32 Landscape Overlay Zone; however, they may be used in addition to the trees required to meet State Highway 32 Landscape Overlay Zone landscaping standards, with the same maintenance requirements as established in 16.04.077, 3d:

- Box Elder
- Silver Maple
- Tree of Heaven
- Paper Birch
- European White Birch
- Southern Catalpa
- Mulberry
- American Sycamore
- Lombardy Poplar
- Cottonwood
- Carolina Poplar
- Pin Oak
- Willows
- Siberian Elm

- d) Maintenance - All plantings required by this section shall be owned and maintained by the owner of the property on which they exist. Each owner shall be required to maintain such plantings in a reasonable manner, replacing damaged or dead plantings, and not allowing such plantings to pose health and/or safety risks to vehicular traffic.
4. Landscaping Plans - Landscaping plans for all lots within the State Highway 32 Landscape Overlay Zone, on which any building is to be constructed shall be designed in accordance with the provisions of this section in order to receive site development plan approval from the Plan Commission.
5. Disclaimer on Rezoning - The State Highway 32 Landscape Overlay Zone does not rezone any land for any purpose.
6. Board of Zoning Appeals - All uses and standards of this section may be subject to variances as approved by the Board of Zoning Appeals pursuant to section WC 16.04.170 of the Westfield - Washington Township Comprehensive Zoning Ordinance.

Figure WC 16.04.077 A

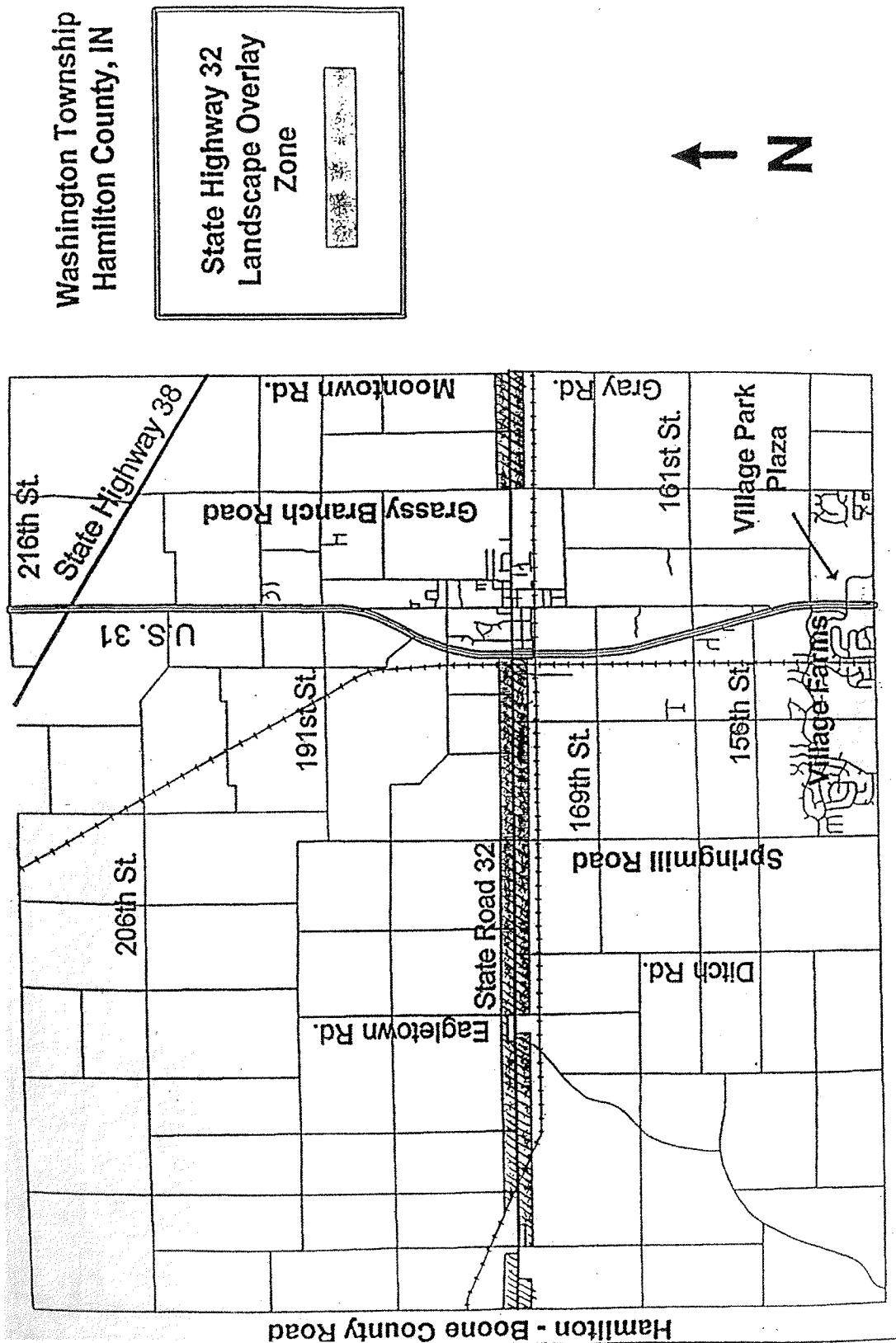


Figure WC 16.04.077 B

Frontage Along State Highway 32

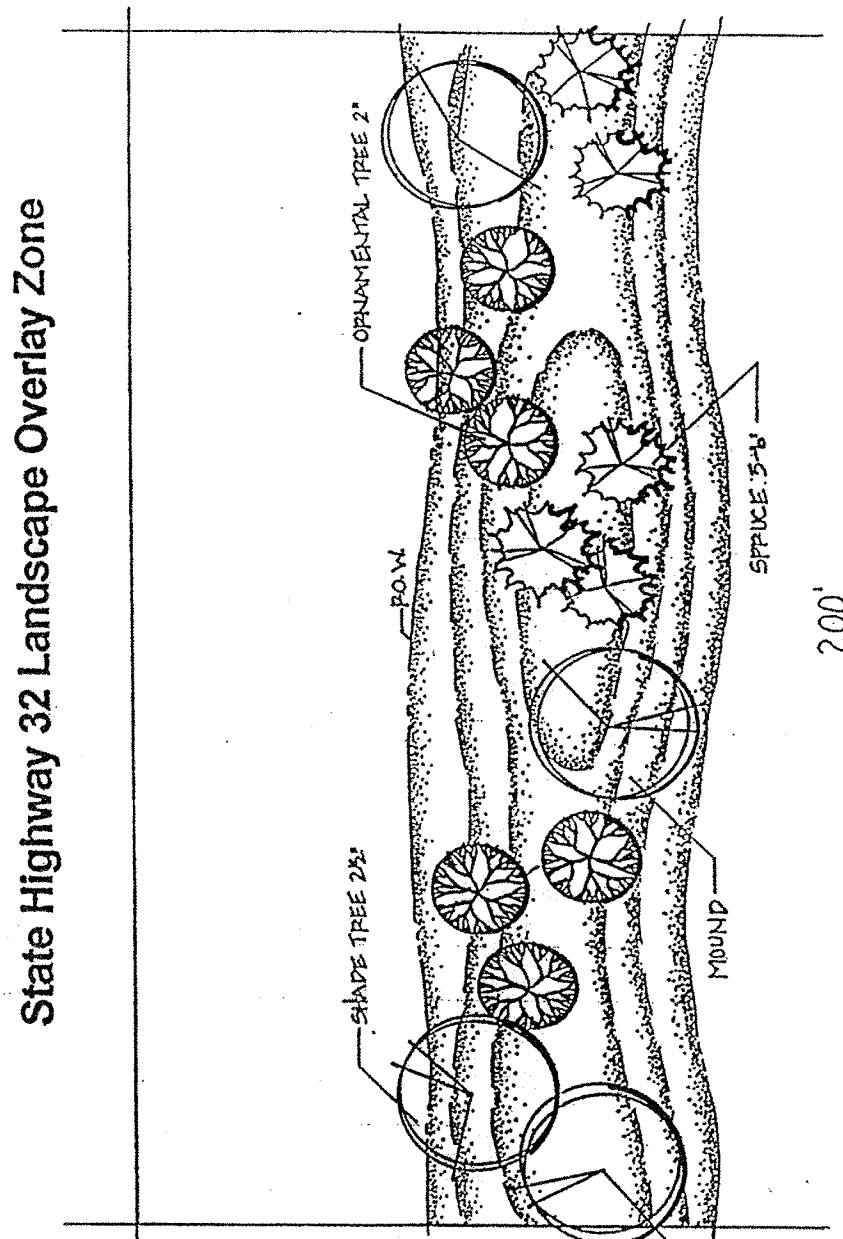
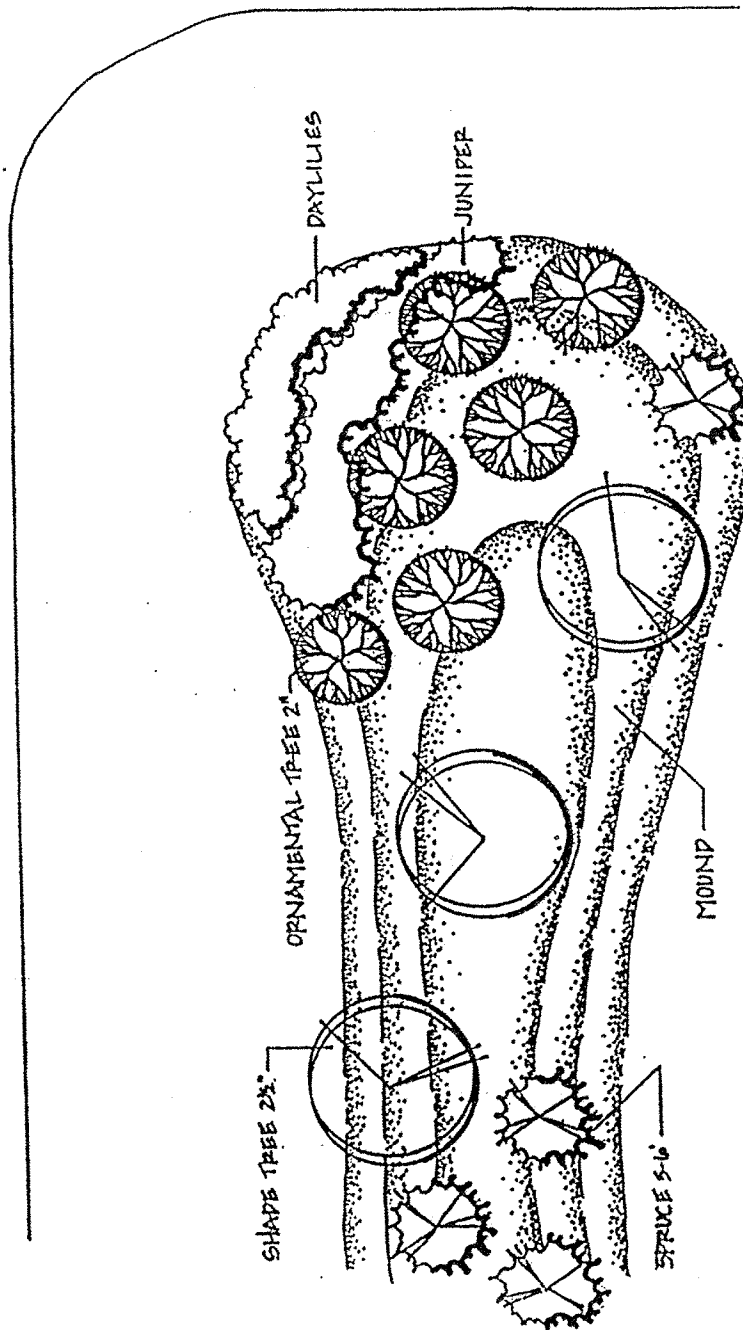


Figure WC 16.04.077 C

Intersections Along State Highway 32

State Highway 32 Landscape Overlay Zone



WC 16.04.080 Floodplain District

The Indiana General Assembly granted the power to local units of government (IC 36-7-4) to control the land use within their jurisdictions in order to accomplish the following.

The purpose of this section is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief and:

- To prevent unwise developments from increasing flood or drainage hazards to others;
- To protect new buildings and major improvements to buildings from flood damage;
- To protect human life and health from the hazards of flooding;
- To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- To maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- To make federally subsidized flood insurance available for structures and their contents in Westfield-Washington Township by fulfilling the requirements of the National Flood Insurance Program.

A. Definitions – for the purpose of this section, the following definitions are adopted:

Administrator – means the Director of the Westfield Community Development Department or his/her designee.

Development - any man-made change to improved or unimproved real estate including but not limited to:

- Construction, reconstruction, or placement of a building or any addition to a building;
- Installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days;
- Installing utilities, erection of walls and fences, construction of roads, or similar projects;
- Construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
- Mining, dredging, filling, grading, excavation, or drilling operations;
- Construction and/or reconstruction of bridges or culverts;
- Storage of materials; or

- Any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

Existing manufactured home park or subdivision – means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this ordinance.

Expansion to an existing manufactured home park or subdivision – means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FBFM – means Flood Boundary and Floodway Map.

FEMA – means Federal Emergency Management Agency.

FHBM – means Flood Hazard Boundary Map.

FIRM – means Flood Insurance Rate Map.

Flood – means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Floodplain – means the channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.

Flood Protection Grade or the "FPG" – means the elevation of the regulatory flood plus two feet at any given location in the SFHA.

Floodway – means the channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Floodway Fringe – means those portions of the floodplain lying outside the floodway.

Letter of Map Amendment (LOMA) – means an amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA is issued by FEMA.

Letter of Map Revision (LOMR) – means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

Lowest Floor - means the lowest of the following:

- The top of the lowest floor of a building;
- The top of the basement floor;
- The top of the garage floor, if the garage is the lowest level of the building;
- The top of the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or
- The top of the floor level of any enclosure below an elevated building where the walls of the enclosure provide any resistance to the flow of flood waters unless:
 - 1) The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, by providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above grade.
 - 2) Such enclosed space shall be usable for the parking of vehicles and building access.

Manufactured Home – means a structure, as defined in WC 16.04.090 that is transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a recreational vehicle.

New Manufactured Home Park or Subdivision – means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance.

Recreational Vehicle – means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towed by a light duty truck, but as temporary living quarters for recreational camping, travel, or seasonal use.

Regulatory Flood – means the flood having a one percent probability of being equaled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission and the Federal Emergency Management Agency. The regulatory flood elevation at any location is defined in subsection C of this section. The “Regulatory Flood” is also known by the term “Base Flood.”

SFHA or Special Flood Hazard Area – means those lands within the jurisdiction of the Westfield – Washington Township Plan Commission that are subject to inundation by the regulatory flood. The SFHAs of Westfield – Washington Township are generally identified as such on the Countywide Flood Insurance Rate Map for Hamilton County prepared by the Federal Emergency Management Agency and dated February 19, 2003 (and as may be subsequently amended or revised).

Structure – means a structure that is principally above the ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Substantial Improvement – means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage” regardless of the actual repair work performed. The term does not include improvement of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of an “historic structure”, provided that the alteration will not preclude the structure’s continued designation as an “historic structure.”

B. Duties of the Administrator – The Administrator shall implement the provisions of this section to:

1. Ensure that all developmental activities within the SFHAs of the jurisdiction of the Township meet requirements of this ordinance.
2. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
3. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to subsection E of this ordinance, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment).
4. Maintain a record of the “as built” elevation of the top of the lowest floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA. Inspect before, during and after construction.

5. Maintain a record of the engineer's certificate and the "as built" flood-proofed elevation of all buildings subject to subsection F of this section.
6. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
7. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis/regulatory assessment, federal permit documents, and "as built" elevation and flood-proofing data for all buildings constructed subject to this section.
8. Notify adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA.

C. Regulatory Flood Elevation – This section's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and to submit it to the Department of Natural Resources for review and approval.

1. The regulatory flood elevation and floodway limits for the SFHAs of Cool Creek and The Anna Kendall Regulated Drain shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of Hamilton County dated February 19, 2003 and the corresponding Countywide Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated February 19, 2003 (and as may be subsequently amended or revised).
2. The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map.
3. The regulatory Flood Elevation for each of the remaining SFHAs delineated as "A Zone" on the Flood Insurance Rate Map shall be according to the best data available as provided by the Department of Natural Resources.

D. Improvement Location Permit – No person, firm, corporation, or governmental body not exempted by state law shall commence any "development" in the SFHA without first obtaining an Improvement Location Permit from the Administrator. The Administrator shall not issue an Improvement Location Permit if the proposed "development" does not meet the requirements of this section.

1. The application for an Improvement Location Permit shall be accompanied by the following:

- a) A description of the proposed development.
 - b) Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams.
 - c) A legal description of the property site.
 - d) A site development plan showing existing and proposed development locations and existing and proposed land grades.
 - e) Elevation of the top of the lowest floor (including basement) of all proposed development. Elevation should be in National Geodetic Vertical Datum of the 1929 (NGVD) or North American Vertical Datum (NAVD). In either case, the conversion formula should be included.
2. Upon receipt of an application for an Improvement Location Permit, the Administrator shall determine if the site is located within an identified floodway, floodway fringe or within the floodplain where the limits of the floodway have not yet been determined.
- a) If the site is in an identified floodway, the Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Under the provisions of IC 14-28-1, a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the Administrator until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the Administrator may issue the local Improvement Location Permit, provided the provisions contained in subsections E and F of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

- b) If the site is located in an identified floodway fringe, then the Administrator may issue the local Improvement Location Permit provided the provisions contained in subsections E and F of this section have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade (FPG).
- c) If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as Zone A, AH, or AO on the Flood Insurance Rate Map), and the drainage area upstream of the site

is greater than one square mile, the Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications to the Indiana Department of Natural Resources for review and comment.

No action shall be taken by the Administrator until either a permit for construction in the floodway or a floodplain analysis/regulatory assessment citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources.

Once the Administrator has received the proper permit or floodplain analysis/regulatory assessment approving the proposed development, an Improvement Location Permit may be issued provided the conditions of the Improvement Location Permit are not less restrictive than the conditions received from the Department of Natural Resources and the provisions contained in subsections E and F of this section have been met.

- d) If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodway, floodway fringe and 100 year elevation for the site.

Upon receipt, the Administrator may issue the local Improvement Location Permit, provided the provisions contained in subsections E and F of this ordinance have been met.

E. Preventing Increased Damages – No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

1. Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:
 - No development shall be allowed which acting alone or in combination with existing or future development, will cause any increase in the elevation of the regulatory flood; and
 - For all projects involving channel modifications or fill (including levees), Westfield-Washington Township shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.
2. Within all SFHAs identified as A Zones (no 100 year flood elevation and/or floodway/floodway fringe delineation has been provided), the following standard shall apply:
 - The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the

regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.

3. Public Health Standards in all SFHAs:

- No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in a flood proofed storage tank or building constructed according to the requirements of subsection F of this section.
- New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings are located above the FPG, or those which are located below the FPG are watertight.

F. Protecting Buildings – In addition to the damage prevention requirements of subsection E, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.

1. This building protection requirements applies to the following situations:

- Construction or placement of any new building having a floor area greater than 400 square feet;
- Structural alterations made to an existing (previously unaltered) building, the cost of which equals or exceeds 50 percent of the value of the pre-altered building (excluding the value of the land);
- Structural alterations made to any previously altered building;
- Reconstruction or repairs made to a damaged building that are valued at or more than 50 percent of the market value of the building (excluding the value of the land) before damage occurred;
- Installing a manufactured home on a new site or a new manufactured home on a new site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and
- Installing a recreational vehicle on a site for more than 180 days.

2. This building protection requirement may be met by one of the following methods. The Administrator shall maintain a record of compliance with these building protection standards as required in subsection B of this section.

- a) A residential or nonresidential building may be constructed on a permanent landfill in accordance with the following:
 - The fill shall be placed in layers no greater than one foot deep before compacting to 95 percent of the maximum density obtainable with the Standard Proctor Test method.

- The fill should extend at least ten feet beyond the foundation of the building before sloping below the FPG.
 - The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three horizontal to one vertical.
 - The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
 - The top of the lowest floor including basements (see definition of lowest floor in subsection A. Definitions) shall be at or above the FPG.
- b) A residential or nonresidential building may be elevated in accordance with the following:
1. The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundation provided:
 - Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above grade.
 - Any enclosure below the elevated floor is used for storage of vehicles and building access.
 2. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as buoyancy, current, waves, ice, and floating debris.
 3. All areas below the FPG shall be constructed of materials resistant to flood damage. The top of the lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.
- c) Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following anchoring requirements:
1. The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be set at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation,

collapse, and lateral movements. This requirement applies to all manufactured homes to be placed on a site:

- Outside a manufactured home park or subdivision;
 - In a new manufactured home park or subdivision;
 - In an expansion to an existing manufactured home park or subdivision;
 - or
 - In an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as a result of a flood.
2. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.

The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

d) Recreational vehicles placed on a site shall either:

- Be on the site for less than 180 consecutive days;
- Be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additional); or
- Meet the requirements for “manufactured homes” in paragraph (c) of this section.

e) A nonresidential building may be flood proofed to the FPG (in lieu of elevating) if done in accordance with the following:

- A Registered Professional Engineer shall certify that the building has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.
- Flood proofing measures shall be operable without human intervention and without an outside source of electricity.

f) Other Development Requirements -

1. The Administrator shall review all proposed subdivisions to determine whether the subdivision lies in a flood hazard area as defined elsewhere in this section. If the Administrator finds the subdivision to be so located, the Administrator shall forward plans and materials to the Indiana Department of Natural Resources for review and comment. The Administrator shall require appropriate changes and modifications in order to assure that:
 - It is consistent with the need to minimize flood damages;
 - All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - Adequate drainage is provided so as to reduce exposure to flood hazards; and
 - On-site waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
2. Developers shall record the 100-year flood elevation on all subdivision plats containing lands (identified elsewhere in this section) within a flood hazard area prior to submitting the plats for approval by the Plan Commission.
3. All owners of manufactured home parks or subdivisions located within the SFHA identified as Zone A on the community's FHBM or FIRM shall develop an evacuation plan for those lots located in the SFHA and file it with the local Plan Commission and have it filled with and approved by the appropriate community emergency management authorities.

g) Variances -

1. The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this section provided the applicant demonstrates that:
 - There exists a good and sufficient cause for the requested variance;
 - The strict application of the terms of this ordinance will constitute an exceptional hardship to the applicant; and
 - The granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
2. The Board of Zoning Appeals may issue a variance to the terms and provisions of this section subject to the following standards and conditions:

- No variance or exception for a residential use within a floodway subject to subsection E 1 or 2 of this section may be granted;
 - Any variance or exception granted in a floodway subject to subsection E 1 or 2 of this section will require a permit from the Indiana Department of Natural Resources;
 - Variances or exceptions to the Building Protection Standards of subsection F may be granted only when a new structure is to be located on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade;
 - Variances or exceptions may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;
 - All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction; and
 - The Board of Zoning Appeals shall issue a written notice to the recipient of a variance or exception that the proposed construction will be subject to increased risks to life and property and could require payment of increased flood insurance premiums.
- h) Disclaimer of Liability – The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this section does not create any liability on the part of Westfield-Washington Township, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.
- i) Violations – Failure to obtain an Improvement Location Permit in the SFHA or failure to comply with the requirements of a permit or conditions of a variance shall be deemed to be a violation of this section.
- A separate offense shall be deemed to occur for each day the violation continues to exist.
 - The Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and, therefore, may cause coverage by a Standard Flood Insurance Policy to be suspended.
 - Nothing herein shall prevent the Town Council from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

G. This ordinance repeals and replaces other ordinances adopted by the Town of Westfield to fulfill the requirements of the National Flood Insurance Program. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence. In addition, the Town Council shall assure that all National Flood Insurance Program regulations (44 CFR SS 60) as well as Indiana laws and regulations regarding floodplain issues (312 IAC 10, IC 14-28-1 and IC 14-28-3) are met.

WC 16.04.085 Adult Entertainment Establishments

A. Definitions. For the purposes of this section, the following terms, phrases, and words shall have the meanings given herein.

- Adult booth – Any area of an adult entertainment establishment set off from the remainder of such establishment by one (1) or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
- Adult cabaret – Any commercial establishment that as a substantial or significant portion of its business features or provides any of the following:
 - (1) Persons who appear nude or semi-nude.
 - (2) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
 - (3) Films, motion pictures, video or audio cassettes or discs, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.
- Adult entertainment establishment - An adult cabaret, adult store, or adult theater, as defined in this subsection.
- Adult material – Any of the following, whether new or used:
 - (1) Books, magazines, periodicals, or other printed matter, or digitally stored materials.
 - (2) Films, motion pictures, video or audio cassettes or discs, slides, computer displays, or other visual representations or recordings of any kind, that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.
 - (3) Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

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WC 16.04.085 Adult Entertainment Establishments

- Adult store – Any commercial establishment (a) that contains one (1) or more adult booths; (b) that as a substantial or significant portion of its business offers for sale, rental, or viewing any adult materials; or (c) that has a segment or section devoted to the sale or display of adult materials.
- Adult theater – Any commercial establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes or discs, slides, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.
- Commercial establishment – Any place where admission, services, performances, or products are provided for or upon payment of any form of consideration.
- Nude or state of nudity – A state of dress or undress that exposes to view (i) less than completely and opaquely covered human genitals; pubic region; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed; or (ii) human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.
- Protected uses –
 - (1) A church, synagogue, mosque, or other place of worship.
 - (2) A public or private nursery school or any other public or private school serving any one (1) or more of grades K through 12.
 - (3) A child care facility, licensed by the Indiana Family and Social Services Administration.
 - (4) A public or private park, playground or playing field.
 - (5) A public or private cemetery.
 - (6) A public housing facility.
- Residential property – Any lot or other tract of land zoned in any of the following districts or zones: AG SF 1, AG SF 1 I, SF 1, ~~SF – A~~, SF 2, SF 3, SF 4, SF 5, MF 1 and MF 2. Also, any lot or other tract of land zoned in any of the following districts or zones and used for residential purposes: GO, GO-PD, LB, LB-H, LB-PD, GB, GB-PD, SB-PD, EI, EI-PD and OI-PD or any PUD.

- Semi-nude – A state of dress or undress in which clothing covers no more than the human genitals, anus, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.
- Specified anatomical areas – Any of the following:
 - (1) Less than completely and opaquely covered human genitals; pubic region; buttocks; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed.
 - (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.
- Specified sexual activities – Any of the following:
 - (1) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
 - (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
 - (3) Masturbation, actual or simulated.
 - (4) Human genitals in a state of sexual stimulation, arousal, or tumescence.
 - (5) Excretory functions as part of or in connection with any of the activities set forth in paragraphs (1), (2), (3), or (4) of this definition.

B. Adult entertainment establishment location standards.

1. Requirements – Except for existing legal nonconforming uses governed pursuant to subsection C of this section, adult entertainment establishments located, established, maintained, or operated on any lot in the Town or Township shall also comply, in addition to complying with all other applicable regulations set forth in these regulations, with the regulations set forth in paragraphs (2) through (8) of this subsection. In the event of a conflict between the provisions of any other such regulations and the regulations set forth in paragraphs (2) through (8) of this subsection, the regulations set forth in paragraphs (2) through (8) of this subsection shall control to the extent of any conflict.

2. Permitted districts – Adult entertainment establishments shall only be permitted in the OI zoning district.
3. Minimum distance from other adult entertainment establishments – No adult entertainment establishment shall be located, established, maintained, or operated on any lot that has a property line within one thousand (1,000) feet of the property line of any other lot on which any other adult entertainment establishment is located, established, maintained, or operated.
4. Minimum distance from protected uses – No adult entertainment establishment shall be located, established, maintained, or operated on any lot that has a property line within five hundred (500) feet of the property line of any other lot on which a protected use is located, established, maintained, or operated.
5. Minimum distance from residential property – No adult entertainment establishment shall be located, established, maintained, or operated on any lot that has a property line within five hundred (500) feet of the property line of any residential district or residence.
6. Minimum distance from the rights-of-way of Federal and State highways – No adult entertainment establishment shall be located, established, maintained, or operated on any lot that has a property line within one thousand (1,000) feet of a right-of-way line of any Federal or State highway.
7. Measurement – For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which the adult entertainment establishment is located to the nearest point on a property line of (i) any residential property or (ii) any lot on which a protected use or other adult entertainment establishment, as the case may be, is located, established, maintained, or operated, or (iii) the right-of-way line of any Federal or State highway.
8. Limited exception for subsequent protected uses, alcoholic business, and residential property – An adult entertainment establishment lawfully operating under these regulations and under the Town's adult use licensing ordinance shall not be deemed to be in violation of the location restrictions set forth herein solely because (i) a protected use subsequently locates within the minimum required distance of the adult entertainment establishment, (ii) a business that sells or dispenses alcoholic beverage subsequently locates within the same building as the adult entertainment establishment, or (iii) property within the minimum required distance of an adult entertainment establishment subsequently becomes residential property. This paragraph (8) shall not apply to an adult entertainment establishment at a time when an application for an "adult entertainment license" under the Town's adult use licensing ordinance for that establishment is submitted

after the license has previously expired, has been revoked, or is at that time under suspension.

- C. Termination of nonconforming adult entertainment establishments upon amortization
 - Any adult entertainment establishment that is deemed under the provisions of these regulations to be a nonconforming use, and that has not been terminated pursuant to any other provision of this section, shall be converted to a conforming use or shall be terminated not later than three hundred sixty-five (365) days after the effective date of this section.

WC 16.04.090 Manufactured Homes, Manufactured Home Parks

Manufactured homes are recognized as viable forms of residential housing that are best served by the residents of such manufactured homes and the community if such type housing units are located in a planned manufactured home park. Manufactured home parks are permitted as a conditional use or special exception in the following districts subject to prior approval of plans and specifications by the Plan Commission: local business, general business, enclosed industrial, multi-family 2, planned business development-general, and special planned business development.

IC 36-7-4-1106 established a definition of a manufactured home to be a dwelling unit designed and built in a factory bearing a seal certifying that the unit was built in compliance with federal manufactured housing construction and safety standards and applies to such homes that were built after January 1, 1981. Manufactured homes which exceed 950 square feet may not be totally precluded by ordinance from being located in various areas zoned for housing. Manufactured homes, as identified in this section shall be permitted in any area zoned for single family or duplex homes; however, in any subdivision which is not specifically platted for manufactured homes the number of manufactured homes located in said subdivision shall not exceed 10 percent of the total number of platted lots.

1. Manufactured Home Parks -

a) General Requirements -

- Site - Minimum of 5 acres with the location not subject to excessive noise, smoke, odor or other elements which would be offensive to the inhabitants of the park
- Lot Size - Each manufactured home lot shall contain a minimum of 4,000 square feet with a minimum frontage of 40 feet on internal streets.
- Pads or Slabs - An adequate concrete slab or pad shall be provided for the parking of all manufactured homes. Such slab should provide anchoring devices for the protection of the manufactured home due to excessive wind
- Setback - Front Yard - 30 feet
- Spacing - A minimum of 20 feet between manufactured homes or other buildings
- Sewage - Public sewers or other approved sanitary system shall be required
- Soil Coverage - All areas of the manufactured home park must be covered with a hard surface such as concrete, blacktop, or stone, and attractive grasses and other vegetable matter

- Screening - Suitable screening or fencing must enclose the entire manufactured home park. Such screening must be attractive to the area and be able to be easily maintained
 - Recreational Facilities - Appropriate recreational facilities shall be provided in all manufactured home parks which are designed to accommodate 25 or more living units.
 - Lighting - The manufactured home park shall be appropriately lighted to protect the health and safety of its residents. Such lighting shall not be considered a nuisance to residents, industry or business development
 - Entrance to Park - All entrances to manufactured home parks shall be constructed in an attractive manner. The name of the park shall be adequately designated. Entrance areas inside the park shall provide for internal street names and addresses and also provide adequate facilities for mail of the park's residence.
 - Service Building - An adequate service building shall be provided to contain office and maintenance space, laundry, canteen and other support services
 - Parking - Parking space for two vehicles shall be provided for each manufactured home location
- b) Permitted Uses - All manufactured homes located in manufactured home parks shall only be used for residential purposes.

2. Manufactured Homes -

- a) All manufactured homes must be located in an approved manufactured home park except for the following:
- An owner of a manufactured home which is located on any platted lot prior to September 1977 may be permitted to replace the existing manufactured home with another if the six following conditions are met: (1) only one manufactured home shall be permitted to be located on any platted lot; (2) the manufactured home will be placed upon a permanent foundation and be subject to real estate tax assessment; (3) the manufactured home will be serviced by a sanitary public sewer or an approved private sewer system; (4) the manufactured home will be used for a residence; (5) the manufactured home to be placed upon the lot exceeds 35 feet in length; and (6) the manufactured home meets the requirements of subsection 2. B.
 - Manufactured homes used as a temporary office or for other purposes on a construction site (special permit required for construction work).

- Manufactured homes normally used for camping or traveling on highways may be permitted to be located on the property of the owner but may not be occupied as a temporary or permanent residence.
- b) Manufactured homes not located in a manufactured home park shall be subject to the following requirements and limitations:
- Manufactured homes shall be required to meet the minimum square footage requirements provided for in any area zoned for single family and duplex homes
 - The homes shall meet all requirements applicable to single family or duplex homes and shall be subject to all necessary improvement, location, building and occupancy permits
 - Manufactured homes shall be of a size as required by the appropriate district, but in no case shall a manufactured home be of a size of less than 950 square feet of occupied space
 - The homes must be permanently attached to a solid foundation extending down below the frost line, a minimum of 30 inches, or on basement walls. The space between the floor joists of the home and the excavated area under floor grade shall be completely enclosed with a permanent, perimeter foundation, or basement walls, except for required openings.
 - The homes shall be covered with an exterior material of one or more of the following types:
 - ⇒ Horizontal aluminum or vinyl lap siding
 - ⇒ Cedar or wood siding
 - ⇒ Weather resistant grain pressboard
 - ⇒ Stucco, brick or stone
 - ⇒ Other approved materialsSuch materials shall overlap the top of the foundation.
 - The homes shall have a roof composed of a material customarily used on site-built residential dwellings, such as, fiberglass, shake, asphalt or tile, which shall be installed onto a surface appropriately pitched for the materials used.
- c) Placement With Permit - Manufactured homes not meeting the terms of this subsection shall be permitted within Westfield-Washington Township only after receiving a variance approved by the Westfield-Washington Board of Zoning Appeals or are located in an approved manufactured home park.

WC § 16.04.100 Multi-Family Development Plan, Fencing, Accessory Buildings, Swimming Pools, and Trash Receptacles

1. Development Plan Procedures - Development plan procedures for multi-family housing, apartments, condominiums, town houses, and cooperatives. A development plan for apartment use shall accompany the application for an improvement location permit. The development plan shall meet the following requirements, in addition to the other requirements set forth in this ordinance. All plans for construction of four units or more shall be subject to approval of the Plan Commission.
 - a. The building or buildings shall be so designated or located so that the distance from any window of any room proposed to be used for human habitation shall be not less than 40 feet from the wall of any structure on the property, such distance to be measured by a line perpendicular to the plane of the surface of said window, except that this distance may be reduced to not less than 30 feet for an exposure where a room is a bathroom or laundry utility room or is used as a community or group meeting room or for a similar purpose. No separate free-standing building shall be closer than 20 feet to any other building on or off of the site or lot. Provided, that the board may reduce any of these dimensions, if in its judgment, the intent of this sub-section is preserved.
 - b. In the event that more than one building is proposed, they shall be designed to be located so that no more than two buildings are in a straight, unbroken line. Each apartment use building shall be designed with setbacks or breaks of not less than 6 feet to all exterior walls for every two building units.
 - c. Off-street parking space, adequate space for service facilities, shall be provided in the side yards or rear yard and shall in no event be located in the required front yard, provided, that no off-street parking area or service facility area shall be located closer than 10 feet to any side lot line. The off-street parking areas and service facility areas shall have sufficient lighting facilities, which shall be located and adjusted so that the glare or beam is directed away from any adjoining property, public street or apartment use dwelling windows.
 - d. Any open-air off-street parking area and service facility area shall be suitable screened with shrubbery or trees along all streets and adjoining or adjacent property lines on the lot. The locations and names of the shrubbery planting shall be indicated on the development plan or on a separate landscape plan which shall become a part of the application. The shrubbery may be planted informally or in a row and may include several varieties and sizes provided that the Board shall be satisfied that said shrubbery will screen any parking areas and expected ground activity from the view of abutting or opposite properties, and also that vision clearance at access points will be provided for safety purposes.
 - e. The location of all driveways, parking areas, service facility areas, and streets shall be shown on the development plan. Also, the location, type and size of proposed public water, sewage and drainage facilities shall either be shown on the plan or on accompanying drawings.

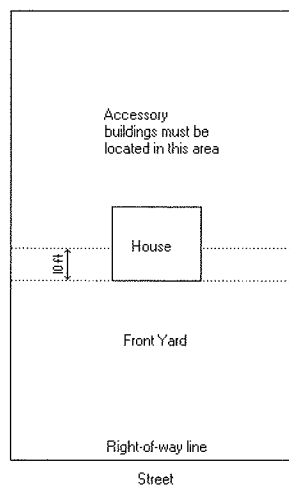
2. Accessory Buildings:

- a. Applicability – In residential districts, these standards (the standards of WC 16.04.100, 2) shall not apply to accessory buildings in compliance with the terms of the Westfield-Washington Township Zoning Ordinance prior to the revision of these standards on October 8, 2001. Such pre-existing structures shall be regarded as conforming structures. No variance to allow the continued use of such structures shall be necessary unless any newly proposed expansion or modification to such structures conflicts with the standards set forth within this Section (WC 16.04.100, 2) of the zoning ordinance.
- b. General Standards:
 - i. Accessory buildings shall be constructed on the same parcel as the principal building to which they are accessory.
 - ii. No accessory building shall be constructed upon a parcel until the construction of the principal building has been commenced.
 - iii. No accessory building shall be occupied/utilized unless the principal building on the same parcel is first legally occupied for a permitted use within the applicable zoning district.
 - iv. The standards of the zoning ordinance shall not prevent the use of a temporary construction building to be utilized for the storage of tools, materials, and other equipment during the period of construction.
 - v. Construction Period – the construction of accessory buildings shall be completed:
 - (1) Within one year of the issuance of a building permit, in the event that such permit is obtained individually; or
 - (2) Within one year of the completion of construction of the principal building, in the event that the building permit for the accessory building is obtained at the same time that the building permit for the construction of the principal building is obtained.
 - vi. Accessory buildings shall be constructed in a manner that does not substantially alter the character of the vicinity in which such buildings are to be located.
 - vii. Accessory buildings must be subordinate in height, width, length and bulk to the principal building.
 - viii. Accessory buildings shall be held under the same ownership and maintenance as the principal building.

c. Building Location:

i. Front Setback:

- (1) **Parcels In Recorded Subdivisions:** No accessory buildings may be erected closer than ten (10) feet from the front yard of a principal structure as illustrated in the following figure (i.e., accessory buildings may not be located closer than 10' from the portion of a parcel between the road right-of-way and a plane established by the portion of the principal structure closest to the right-of-way, running parallel to such right-of-way). Temporary accessory buildings shall not be constructed in front of the rear building line of the principal building.



(2) **Parcels Not In Recorded Subdivisions:**

- (i) Accessory buildings shall be located at least 75 feet from all rights-of-way.
 - (ii) No accessory buildings may be erected in the front yard of a principal structure (i.e., accessory buildings may not be located between a road right-of-way and a plane established by the portion of the principal structure closest to the right-of-way, running parallel to such right-of-way).
 - ii. **Side and Rear Setback** – Accessory buildings must meet the minimum side and rear yard setbacks of the underlying zoning district (unless otherwise limited by WC 16.04.100, 2, c, i, (1) above).
- d. **Building Height:** Accessory buildings shall not exceed 18 feet in height (to be measured as per WC 16.04.210, Definitions, “Building, Height of”).

3. Fences - On residential lot less than three acres, fences located within any required front yard shall not exceed 42 inches in height, as measured from the topmost point thereof to the ground adjacent to the fence.

Fences located within any required side or rear yard of a residence shall not exceed six feet in height, as measured from the topmost point thereof to the ground adjacent to the fence.

Any fence placed upon an erected earth berm or masonry wall must govern its total height to the limitations herein.

Open wire mesh fences surrounding tennis courts may be erected to a height of 16 feet, if such fences shall only enclose a regulation court area and standard apron areas.

Fences enclosing an institution, a public park, schools, commercial or industrial property may consist of an open mesh fence not to exceed a height of ten feet.

No sign, fence, wall, shrub or other obstruction to vision exceeding three feet in height above the established street grade shall be erected, planted or maintained within the area of a corner lot that is included between the lines of the intersection streets and a straight line connecting them at points 30 feet distance from the intersection of the street lines. Agricultural fences shall not be subject to height limitations.

Fences constructed of wood for the purpose of obscuring view shall be installed so that the finished side of the fence is facing outward. Fences constructed of wood that are on a property line in which two or more land owners share in the expense are not subject to this provision.

4. Swimming Pools:

- a. Applicability – These standards (the standards of WC 16.04.100, 4) shall not apply to swimming pools in compliance with the terms of the Westfield-Washington Township Zoning Ordinance prior to the revision of these standards on October 8, 2001. Such pre-existing structures shall be regarded as conforming structures. No variance to allow the continued use of such structures shall be necessary unless any newly proposed expansion or modification to such structures conflicts with the standards set forth within this Section (WC 16.04.100, 4) of the zoning ordinance.

- b. General Standards:

- i. Swimming pools shall be constructed on the same parcel as the principal building to which they are accessory.
- ii. Swimming pools shall not be constructed in front of the principal building.
- iii. Swimming pools shall be required to meet the same setback requirements as the principal structure to which they are accessory.
- iv. Swimming pools shall be enclosed with a fence of not less than five feet in height.

5. Trash Receptacles – Trash receptacles shall be enclosed on all sides within non-residential and multi-family zoning districts.

WC 16.04.120 Off-Street Loading and Parking

1. Loading Berths - Off-street loading berths shall be subject to the requirements as set out by the Building Commissioner in accordance with the following guidelines. Exceptions can be granted by the Building Commissioner upon presentation of justification for a lesser number of loading berths. Additional berths may also be required to serve the needs of the proposed business or industry.
 - Business and Professional Offices, Medical Facilities, Schools, Hotels, Clubs and Similar Businesses - One loading berth for each 100,000 square feet of space or additional fraction thereof.
 - Industrial Manufacturing and Warehousing - One loading berth for each 40,000 square feet or additional fraction thereof.
 - Other Local and General Business - One loading berth for businesses with 5,000 square feet to 10,000 square feet. Two loading berths for businesses with 10,001 square feet to 25,000 square feet - Over 25,000 square feet, one additional berth for each 25,000 square feet or fraction thereof
2. Off-street Parking - In connection with any building or structure which is to be erected or substantially altered, and which requires off-street parking spaces, there shall be provided such off-street parking space in accordance with regulations set forth hereinafter:
 - a) Use - Except as may otherwise be provided for the parking of trucks or for special uses, required accessory off-street parking facilities required as accessory to uses listed herein, shall be solely for the parking of passenger vehicles or patrons, occupants or employees.
 - b) Location - Parking spaces shall be located on the same lot as the use served except parking facilities located on land other than the lot on which the building or use served is located, must be within 300 feet walking distance from the main entrance to the use served.
 - c) Computation - When determination of the number of off-street parking spaces required by this section results in a requirement of fractional space, any fraction of one-half or less may be disregarded; while a fraction in excess of one-half shall be counted as one parking space.
 - d) Collective Provisions for Non-Residential Uses - Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements of each such use, and if all regulations governing the location of accessory parking spaces in relation to the use served are observed. But no parking space, or portion thereof,

shall serve as the required space for more than one use unless otherwise authorized.

- e) Size - A required off-street parking space shall be at least 10 feet in width and at least 20 feet in length, exclusive of access drives, aisles, ramps, columns, and office or work area. Such space shall have vertical clearance of at least seven feet. Parallel parking shall require 24 feet in length.
- f) Access - Each required off-street parking space shall open directly upon an aisle or a driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.

Angle of Parking Space	Aisle Width
45 degree angle	14 Feet
60 degree angle	18 Feet
90 degree angle	24 Feet

All off-street parking facilities shall be provided with appropriate means or vehicular access to a street in a manner which will least interfere with traffic movements.

- g) In Yards - Off-street parking spaces may be located in front yards and side yards adjoining a street, except that in the local business and general business districts parking in front yards shall be subject to the following provisions:
- The parking area must be blacktop
 - Cement wheel stops must be provided
 - All maintenance and snow removal must be done by the owner
 - Parking places must be accessed by ramps and not over curbing.
 - The owner is to be responsible for any replacement of blacktop to said parking area necessitated by the Town's repair of underground facilities
- h) Surfacing - All open off-street parking areas shall be improved with a compacted gravel or stone base, or equal, not less than four inches thick, and surfaced with all-weather, dustless material in accordance with specifications established by the Town Council.
- i) Lighting - A system of flood lights shall be installed to provide an adequate standard of illumination over the entire parking lot of planned business developments during business hours and minimum security illumination during non-business hours. All flood lights shall be shielded so that minimum glare will extend to the adjacent property and shall meet requirements of the Westfield Utilities Department.
- j) Required Spaces - Off-street parking spaces accessory to designated uses shall be provided as follows:

WC 16.04.120 Off-Street Loading and Parking

- Single-Family Dwellings -
 - ⇒ Two parking spaces for each dwelling in AG-SF1, SF-1, **SF – A**, SF-2, SF-3 and SF-4 districts
 - ⇒ One parking space for each dwelling in SF-5 districts
- Two-Family Dwellings - Two parking spaces for each dwelling unit
- Multi-Family dwellings - Two parking spaces for each dwelling unit
- Motels -
 - ⇒ One parking space for each room
 - ⇒ One parking space for each two employees on day shift
- Churches -
 - ⇒ One parking space for each three seats in AG-SF1, SF-1, **SF – A**, SF-2, and SF-3 districts
 - ⇒ One parking space for each five seats in SF-4 and SF-5 districts
- Theaters - One parking space for each five seats
- Medical and Dental Clinics - Three parking spaces for each examining or treatment room, plus one parking space for each doctor and employee in the building
- Drive-in Restaurants - One parking space for each two seats in service area plus one parking space for each employee on primary shift
- Establishments handling the sale and consumption of food and refreshment on the premises - One parking space for each three seats of serving area plus one parking space for each employee on primary shift
- Banks, Savings and Loans, and Financial Institutions - One parking space per each 300 square feet of floor space
- Business and Professional Offices or Public Administration Buildings - One parking space per each 200 square feet of assignable office area.
- Service Stations - One parking space for each employee, plus two for each service stall
- Manufacturing, fabricating and processing plants not engaged in retail trade - One parking space for each two employees, as related to the working period when the largest number of employees are employed on the premises

Parking space requirements for other uses will be determined by the Building Commissioner based upon data supplied by the applicant in response to traffic and parking data requested to be furnished with the application for an improvement location permit.

16.04.125 Wireless Communication Service Facilities

- A. Wireless Communication Service Facilities shall be a permitted use in the following districts:

EI, EI-PD, OI, and OI-PD

- B. Wireless Communication Service Facilities shall be a special exception in the following districts:

1. GO-PD, GB-PD, and AG-SF1;
2. In any district where the antennas are to be located upon pre-existing structures or buildings owned or operated by units of government or public utilities so long as the antennas and antenna support structures do not exceed the height of those structures or buildings by more than twenty (20) feet;
3. In any district, in a Non-Urban Area, a term associated with Indiana Code 36-7-4-1103. "Urban Area" is defined in the Code as follows: all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

- C. Wireless Communication Service Facilities shall be bound by the standards below as well as the applicable requirements of the zoning district in which they are located except where otherwise noted in Section 2: Development Standards.

Section 1: Procedural Standards

All Wireless Communication Service Facilities shall meet the following requirements:

- A. The applicant for a Wireless Communication Service Facility must demonstrate that they have exhausted all efforts to locate the proposed facilities upon existing antenna support structures in the geographical area of the proposed Wireless Communication Service Facility. They should submit a master plan for their Wireless Communication Service Facilities throughout the jurisdictional area where the Town of Westfield exercises planning and zoning jurisdiction. That master plan should show efforts to minimize the size and number of antenna support structures throughout the geographical area, taking into consideration existing technology.
- B. The placement of antennas upon existing antenna support structures may be administratively approved by the Community Development Department.

- C. In the event an antenna support structure ceases to be used, the antenna support structure shall be removed within one hundred eighty (180) days of termination of use.
- D. In the zoning districts in which a Wireless Communication Service Facility is listed as either a permitted use or a special exception in WC 16.04.180, Figure 2, Permitted Use List a Wireless Communication Service Facility may be deemed an accessory use.

Section 2: Development Standards

All Wireless Communication Service Facilities shall meet the following requirements:

- A. The height of the antenna support structure shall not exceed two hundred (200) feet.
- B. The antenna support structure shall be set back a minimum of forty (40) feet from the property line, unless the adjoining property is zoned or used for a residential use. If the antenna support structure adjoins property which is zoned or used for residential use, the setback shall not be less than the height of the support structure.
- C. Except as required by the Federal Aviation Administration or Federal Communications Commission, the antenna support structure shall not be illuminated by any artificial means and shall not display strobe lights.
- D. No signs or advertising shall be placed upon an antenna support structure and associated equipment buildings or structures.
- E. The support structure and any antenna located on the support structure must be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment.
- F. All utility buildings and structures accessory to the antenna support structure must be architecturally designed to blend into the surrounding area.
- G. A landscaping plan for the wireless communication service facility shall be submitted with the application and shall be substantially similar to landscaping required for other uses in commercial and industrial zones.
- H. All Wireless Communication Service Facilities shall be designed structurally, electrically, and in all other respects to accommodate the user's equipment and the equipment of at least two additional service providers.
- I. A qualified and licensed engineer must approve the design of the antenna support structure and certify that it is constructed to comply with the requirements set out in paragraph (H) above.

- J. All applications shall include a notarized letter of intent committing the antenna support structure owner or lessee on behalf of themselves and their successors in interest that the antenna support structure shall be shared with additional users if the additional user(s) agrees to meet reasonable terms and conditions of shared use.
- K. No transmissions from a Wireless Communication Service Facility shall interfere with any existing public safety communications.

Section 3: Limitations on Zoning Authority

- A. The Board of Zoning Appeals in consideration of the special exception, shall not consider any evidence or base a denial of the location of a Wireless Communication Service Facility on any evidence concerning adverse environmental or health effects of radio frequency emissions so long as those emissions meet the standards of the Federal Commission.
- B. Nothing herein shall be construed as a prohibition of the location of Wireless Communication Service Facilities within the planning jurisdiction of the Town of Westfield, Indiana.
- C. Nothing herein shall be construed or applied to unreasonably discriminate between providers of functionally equivalent service, or services which compete one against the other for various wireless communication services.

WC 16.04.130 Contingent Uses and Requirements

Contingent uses defined herein, including accessory buildings and uses, are permitted in the districts indicated subject to the provisions herein.

- A. A contingent use is one which is likely or liable, but not certain, to occur and which is not inappropriate to the principal uses of the district in which it may be located. Contingent uses are listed as permitted uses in each district.
- B. Other provisions and requirements for contingent uses are as follows:
- The yard and setback requirements for contingent uses shall be as follows: Contingent uses proposed to be located in any of the districts shall comply with the requirements of that district's primary purpose.
 - The building height for contingent uses shall be as provided in each district.
 - 1) Buildings may be erected higher than the normal maximum heights set forth in each district provided that buildings shall be set back from the required side and rear yard lines one foot for each two feet of height above 25 feet in all single family residential and local business districts, but not to exceed 35 feet in any case; 35 feet in the multi-family and general business districts, but not to exceed 45 feet in any case; and 60 feet in the industrial districts, but not to exceed 70 feet in any case.
 - 2) In all districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, scenery lofts, power transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
 - 3) The number of parking spaces to be provided shall conform to the requirements in WC 16.04.120 and provided that the required number of parking spaces shall be provided on the same lot with the use, or as a special exception within 300 feet thereof, and provided further that a church or temple requiring private parking area at times when nearby uses do not need their parking facilities, may by agreement approved by the Board, utilize such facilities in lieu of providing their own private parking facilities.
 - An existing use which is included herein as a contingent use, and which is located in a district in which such contingent use is permitted, is a conforming use. Any expansion of such contingent use involving the enlargement of the building, structures and land area devoted to such use shall be subject to the requirements of this Chapter.

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 - The building height for contingent uses shall be as provided in each district.
 - 1) Buildings may be erected higher than the normal maximum heights set forth in each district provided that buildings shall be set back from the required side and rear yard lines one foot for each two feet of height above 25 feet in all single family residential and local business districts, but not to exceed 35 feet in any case; 35 feet in the multi-family and general business districts, but not to exceed 45 feet in any case; and 60 feet in the industrial districts, but not to exceed 70 feet in any case.
 - 2) In all districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, scenery lofts, power transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
 - 3) The number of parking spaces to be provided shall conform to the requirements in WC 16.04.120 and provided that the required number of parking spaces shall be provided on the same lot with the use, or as a special exception within 300 feet thereof, and provided further that a church or temple requiring private parking area at times when nearby uses do not need their parking facilities, may by agreement approved by the Board, utilize such facilities in lieu of providing their own private parking facilities.
 - An existing use which is included herein as a contingent use, and which is located in a district in which such contingent use is permitted, is a conforming use. Any expansion of such contingent use involving the enlargement of the building, structures and land area devoted to such use shall be subject to the requirements of this Chapter.

WC 16.04.140 Special Exceptions, Requirements and Procedures

- A. The special exceptions listed in Figure 2 and their accessory buildings and uses may be permitted by the Board of Zoning Appeals on the districts indicated therein.
- B. Special exceptions are uses publicly or municipally operated, and those uses traditionally affected with a public interest, and those uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property and public facilities.
- C. Upon receipt of an application for an improvement location permit for a special exception, the Building Commissioner shall refer the application to the Board of Zoning Appeals. A copy of each application shall be referred concurrently to the Plan Commission.
- D. Upon such hearing, if the Board of Zoning Appeals finds that:
 - 1. The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, or general welfare;
 - 2. The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, no substantially diminish and impair property value within the neighborhood;
 - 3. The establishment of the special exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - 4. Adequate utilities, streets, drainage and other necessary facilities have been or are being provided;
 - 5. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion; and
 - 6. The special exception will be located in a district where such use is permitted and that all other requirements set forth, applicable to such special exception, will be met;

The Board of Zoning Appeals shall direct the Building Commissioner to issue an improvement location permit for such special exception, otherwise the Board of Zoning Appeals shall direct the Building Commissioner to reject the application. The findings of the Board of Zoning Appeals and its order to the Building Commissioner shall be in writing.

- E. An existing use which is listed herein as a special exception, and which is located in a district in which such special exception may be permitted, is a conforming use,

providing such use meets the minimum lot area requirements set forth in the respective districts. Any expansion of such special exception involving the enlargement of buildings, structures, and land area devoted to such use, shall be subject to the requirements and procedures described in this section.

- F. Any person, to whom is issued an improvement location permit for a special exception who fails to commence construction within 12 months after such permit is issued, or who fails to carry to completion the total development plan thereof within three years after such construction is begun, whichever is later, or who fails to conform to the provisions of the development plan and supporting data finally approved by the Board and upon the basis of which such improvement location permit was issued, may be required by the Board upon its own motion, and shall be required by the Board upon written petition of any person deeming himself aggrieved, to show cause why such approval should not be withdrawn and such improvement location permit revoked.
- G. The holder of an improvement location permit for a special exception may apply to the Board at any time for an alteration, change, amendment or extension of the application or development plan upon which such permit was based.
 - 1. Upon receipt of such application, the Board shall proceed as in the case of original applications for an improvement location permit for a special exception.
 - 2. In the event the Board shall approve and order such application or development plan changes, altered, amended or extended, it shall notify the Building Commissioner who shall issue an amended improvement location permit accordingly.
 - 3. The Board may impose additional requirements or conditions including establishing building setback lines and lot sizes for a special exception use, if, in the Board's judgment, additional requirements or conditions are necessary for the protection of the public health, and for reasons of safety, comfort and convenience.

WC 16.04.150 Non-Conforming Use Specifications

The lawful use of a building or premises, existing at the time of passage of this Ordinance, may be continued although such use does not conform to all the provisions of this Ordinance, subject to the following conditions:

- A. A non-conforming use may be extended throughout a building provided the size of the structure is not increased.
- B. A non-conforming use may be changed to another non-conforming use of the same or greater restrictions, provided the size of the structure is not increased.
- C. Whenever a non-conforming use has been changed to a conforming use or to a use permitted in a district of greater restrictions, it shall not thereafter be changed to a non-conforming use or a less restricted district.
- D. No building shall be erected upon any premises devoted to a non-conforming use, except in conformance with the provisions of this Chapter.
- E. The Board may authorized, by written permit, in a district permitting residential use, for a period of not more than one year from the date of such permit, a temporary building for business or industrial use incidental, but necessary to the residential construction and development of said district, a model home or apartment used for business purposes.
- F. In the event that a non-conforming use of any building or premises is discontinued for a period of two years, the use of the same shall thereafter conform to the uses permitted in the district in which it is located, and provided further, that any non-conforming dwelling which is deficient in ground floor area, and which may be removed from a lot, shall not re-locate on the lot.
- G. These provisions apply in the manner to a use which may become a non-conforming use as a result of an amendment to this Chapter.

WC 16.04.160 Administration

It shall be the duty of the Building Commissioner to enforce this section and receive applications required by this Ordinance, issue permits, and furnish the prescribed certificates. He shall examine premises for which permits have been issued, and shall make necessary inspections to see that the provisions of law are complied with. He shall enforce all laws relating to the construction, alteration, repair, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, except as may be otherwise provided for. He shall, when requested by the Town Council or when the interests of the municipality so require, make investigations in connection with matters referred to in this Article and render written reports on the same. For the purpose of enforcing compliance with law, he shall issue such notices or orders as may be necessary and submit an annual report of activities of the office to the Plan Commission, Board of Zoning Appeals and Town Council.

The Building Commissioner shall keep careful and comprehensive records of applications, of permits issued, of certificates issued, or inspections made, or reports rendered, and of notices or orders issued. He shall retain on file, copies of all papers in connection with building work so long as any part of the building or structure to which they relate may be in existence. All such records shall be open to public inspection at reasonable hours.

Application and Approval of Permits -

- A. Any persons, who shall make application for an improvement location permit, shall, at the time of making such application furnish a site plan or development plan of the real estate upon which said application for an improvement location permit is made at least five days prior to the issuance of said improvement location permit, which five day period may be waived. Said site plan shall be drawn to scale showing the following items:
 - Legal or site description of the real estate involved
 - Location and size of all buildings and structures
 - Width and length of all entrances and exits to and from said real estate
 - All adjacent rights-of-way
 - Building Construction Elevation Points
- B. An application for an improvement location permit for any industrial or commercial use subject of the provisions of WC 16.04.060 of this Chapter shall be accompanied by a "Certificate of Compliance" subscribed by a registered professional engineer or architect, certifying that the use intended will satisfy the performance standards of enclosed industrial or open industrial uses, as the case may be, and in the district in which it is to be located. The Building Commissioner may take ten days in which to study the application, during which time he may consult with appropriate technical consultants. If, after the ten day period, the Building Commissioner has not required

any additional information or stated any objections in writing, the Building Commissioner shall issue the improvement location permit.

- C. Site plans so furnished shall become a permanent public record.
- D. The Building Commissioner shall issue an improvement location permit for a special exception only following receipt of notice from the Board that the application therefore has been approved by the board.
- E. No land shall be occupied or used and no building hereafter erected, reconstructed or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate of occupancy shall have been issued stating that the building and use comply with all the provisions of this Chapter applicable to the building or premises of the use in the district in which it is to be located.

When the improvement covered by the improvement location permit has been completed in substantial conformity with the site plan or development plan submitted in the application pursuant to paragraph A. of the section, a Certificate of Occupancy shall then be issued.

- F. No change shall be made in the use of land (except an agricultural use) or in the use of any building or part thereof, now or hereafter erected, reconstructed or structurally altered, without a certificate of occupancy having been issued and no such certificate shall be issued to make such change unless it is in conformity with the provisions of this Ordinance.
- G. A Certificate of Occupancy shall be applied for coincidentally with the application for an improvement location permit and shall be issued within ten days after the lawful erection, reconstruction or structural alteration of such building or other improvement of the land shall have been completed.
- H. A record of all certificates of occupancy shall be kept on file in the office of the Building Commissioner and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building or land affected.
- I. No improvement location permit shall be issued for excavation for or the erection, reconstruction or structural alteration of any building, before application has been made for a Certificate of Occupancy.
- J. An application for an improvement location permit for any use shall not be approved until it has been ascertained by the Building Commissioner that the proposed use will meet the minimum standards for sewage disposal and water as required by the Health Officer, who is any officer of authority, Hamilton County Health Department and State Board of Health, and as may be required by Ordinances of the Town of Westfield. No Certificate of Occupancy shall be issued for a commercial or industrial structure or for any other applicable use until the plans for such structure shall have

been approved by the Administrative Building Council of the State of Indiana and any other appropriate state agency including the State Fire Marshal.

- K. No improvement location permit or Certificate of Occupancy shall be issued until the appropriate fees have been paid to the Building Commissioner in accordance with those established in this Article.
- L. Improvement location permits shall expire 12 months after date of issuance if construction has not commenced. One extension for 12 months may be granted by the Plan Commission upon presentation of reasonable justification for such an extension. This provision does not apply to special exceptions as otherwise provided for in WC 16.04.140.
- M. When a developer of any commercial land or facility for any reason will be constructing or developing the site or facility with major changes from the final plans approved by the Plan Commission, then such developer shall notify and send to the Building Commissioner information outlining and supporting such changes. It shall be the discretion of the Building Commissioner to approve or disapprove such changes and to determine whether further action or concurrence should be received by the Plan Commission or Board of Zoning Appeals and to determine whether any additional building improvement fees are due the Town or to be refunded to the developer. Any such changes so approved by the Building Commissioner, or by the Plan Commission or Board of Zoning Appeals, shall be deemed approved amendments of such final plans originally approved by the Plan Commission.

WC § 16.04.165 Development Plan Review.

Purpose: A Development Plan Review process is hereby established for the Town of Westfield and Washington Township, Hamilton County, Indiana. The purpose of the Development Plan Review process is to: (i) promote innovation and creativity in the design of the built environment; and, (ii) assure the compatibility of new development or major additions to existing development with the surrounding community. The Development Plan Review Process shall be applicable to all zoning districts. The Development Plan Review Process shall be applicable to any: (i) new construction; (ii) building additions; (iii) new or expanded surface parking areas; (iv) new or expanded surface loading areas; (v) exterior building renovations that require a building permit; or, (vi) permanent signs that require a permit pursuant to WC 16.08 et seq., located within the planning and zoning jurisdiction of the Westfield – Washington Township Plan Commission. The approval or disapproval of a Development Plan is hereby delegated to the Plan Commission, or, in certain limited situations as set forth below, to the Director.

A. Districts Designated for Development Plan Review.

The approval of a Development Plan shall be a prerequisite for any: (i) new construction; (ii) building additions; (iii) new or expanded surface parking areas; (iv) new or expanded surface loading areas; (v) exterior building renovations that require a building permit; or, (vi) permanent signs that require a permit pursuant to WC 16.08 et seq., in all zoning districts contained in this Ordinance.

B. Development Plan Authority.

1. Development Plan Authority Delegated to the Plan Commission.

The authority to approve or disapprove a Development Plan for the following developments is hereby delegated to the Plan Commission:

- a. any development for a use *other than* a Single Family Residential Use in a Residential District (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5);
- b. any proposed development in any Multi-Family District (MF-1, MF-2);
- c. any proposed development in any Business District (GO, GO-PD, LB, LB-H, LB-PD, GB, GB-PD, SB, SB-PD);
- d. any proposed development in any Industrial District (EI, EI-PD, OI, OI-PD);
- e. any proposed development of a Single Family Subdivision (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5); and,
- f. any proposed permanent signs, in any district, that require a permit pursuant to WC 16.08 et seq.

2. Development Plan Authority Delegated to the Director.

The authority to approve or disapprove a Development Plan for any proposed development of or addition to a single family dwelling or accessory residential structure on *an individual lot* within a Residential District is hereby delegated to the Director.

C. Development Requirements - General.

Each Development Plan shall demonstrate compliance with the Development Requirements specific to each District as well as the following Development Requirements:

1. Compliance with all applicable development standards of the zoning district in which the real estate is located;
2. Compliance with all applicable provisions of any Overlay District in which the real estate is located;
3. Compliance with all applicable provisions of the Subdivision Control Ordinance (unless a waiver has been granted, in which case compliance with the terms and conditions of the waiver grant shall be required);
4. Compliance with all applicable provisions of this Chapter WC16.04.165 (unless a waiver has been granted, in which case compliance with the terms and conditions of the waiver grant shall be required);
5. The proposed development shall be appropriate to the site and its surroundings based upon the recommendations contained in the Westfield – Washington Township Comprehensive Plan;
6. The design and location of proposed street and highway access points shall minimize safety hazards and congestion;
7. The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development;
8. The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development; and,
9. The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

WC § 16.04.165 Development Plan Review

D. Development Requirements for Each District.

1. Any development for a use other than a Single Family Residential Use in a Residential District (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5).

- a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

- b. Landscaping – See WC 16.06 et seq.

- c. Lighting – See WC 16.07 et seq.

- d. Signs – See WC 16.08 et seq.

- e. Building Orientation.

- (1) No loading spaces or loading docks shall be permitted to face a public street.
- (2) Loading spaces or loading docks facing or oriented to a side or rear lot line of an adjoining Residential District shall be screened from view from such Residential District by the use of: (i) evergreen trees; or, (ii) a combination of overstory, understory or evergreen trees and a solid wall or fence, which creates a dense visual barrier to a minimum height of six (6) feet.

- f. Building Materials.

In order to insure compatibility of non-residential uses with surrounding residential uses in Residential Districts, all nonresidential uses shall use exterior

building materials, roofline treatments and roofing materials that are compatible with and consistent with residential construction methods and materials.

2. Any Multi-Family District (MF-1, MF-2).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the project. Multi-family projects shall be provided with internal sidewalks or pathways along all internal streets as well as sidewalks or pathways along perimeter streets. All sidewalk or pathway systems shall be designed so as to connect to an existing or proposed sidewalk or pathway network.

Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

- b. Landscaping – See WC 16.06 et seq.
- c. Green Space Areas – See WC 16.04.040 Multi-Family Districts.
- d. Lighting – See WC 16.07 et seq.
- e. Signs – See WC 16.08 et seq.
- f. Building Materials.

All new buildings or building additions located in any Multi-Family District shall utilize two (2) or more exterior building materials (excluding window, door, and roofing materials). The primary exterior building material used on each facade shall be either brick or Exterior Insulation and Finish System (E.I.F.S.) and shall constitute a minimum of seventy-five (75) percent of each facade.

3. Any Business District (GO, GO-PD, LB, LB-H, LB-PD, GB, GB-PD, SB, SB-PD).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

b. Landscaping – See WC 16.06 et seq.

c. Lighting – See WC 16.07 et seq.

d. Signs – See WC 16.08 et seq.

e. Building Orientation.

- (1) Each building façade visible from a public street or oriented to an adjoining Residential District shall be a finished façade.
- (2) No loading spaces or loading docks shall be permitted to face a public street or an adjoining Residential District.
- (3) No outside storage shall be permitted between an established building line and the right-of-way of a public street or an adjoining Residential District.
- (4) All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.

f. Building Materials.

In order to create variation and interest in the built environment, all new buildings or building additions located within any Business District shall use the exterior building materials specified below on each facade visible from a public street or an adjoining Residential District:

- (1) All brick (excluding window, display window, door, roofing, fascia and soffit materials); or,
- (2) Two (2) or more building materials (excluding window, display window, door and roofing materials), provided, however, that the primary building material shall be either brick or Exterior Insulation and Finish System (E.I.F.S.) and shall constitute a minimum of sixty (60) percent of each facade visible from a public street or an adjoining Residential District.

The exterior building material selection shall be supplemented with the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.) or the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a public street or an adjoining Residential District:

4. Any Industrial District (EI, EI-PD, OI, OI-PD).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

b. Landscaping – See WC 16.06 et seq.

c. Lighting – See WC 16.07 et seq.

d. Signs – See WC 16.08 et seq.

e. Building Orientation.

- (1) Each building façade visible from a public street or oriented to an adjoining Residential District shall be a finished façade.
- (2) No loading spaces shall be permitted to face a public street or an adjoining Residential District.
- (3) No outside storage shall be permitted between an established building line and the right-of-way of a public street or an adjoining Residential District.
- (4) All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.

f. Building Materials.

In order to create variation and interest in the built environment, all new buildings or building additions located within any Industrial District shall use the exterior building materials specified below on each facade visible from a public street or an adjoining Residential District:

- (1) Brick or other masonry material. Other masonry materials shall include:
 - a. Architectural concrete, if the surface of the architectural concrete simulates brick or stone (e.g., limestone, marble, or, granite);
 - b. Pre-cast concrete, if the surface of the pre-cast concrete is painted, textured (e.g. rough, striated, imprinted with a pattern or form), or designed to simulate brick or stone (e.g., limestone, marble, or, granite);
 - c. External Insulation and Finish System (E.I.F.S.); or,
 - d. Stone.
- (2) If a masonry material other than brick is utilized, it shall be supplemented with the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.) or the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a public street or an adjoining Residential District.
- (3) The primary exterior building material shall constitute a minimum of sixty (60) percent of the available wall area (exclusive of window and doors) of each facade visible from a public street or an adjoining Residential District.

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5. Any Single Family Subdivision Development in a Residential District (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the subdivision. Subdivisions shall be provided with internal sidewalks or pathways along all internal streets as well as sidewalks or pathways along perimeter streets. All sidewalk or pathway systems shall be designed so as to connect to an existing or proposed sidewalk or pathway network.

Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

b. Landscaping – See WC 16.06 et seq.

c. Lighting – See WC 16.07 et seq.

d. Signs – See WC 16.08 et seq.

e. Building Orientation.

In order to create variation and interest in the built environment, all new single family subdivisions shall utilize appropriate techniques (e.g., plat restrictions, building setback lines, or other method as approved by the Plan Commission) to accomplish the design objectives as set forth below:

At least one (1) of the following two (2) design objectives:

- (1) Development of single family subdivisions in which single family lots are so laid out that dwellings are located with the front of the dwelling oriented toward the perimeter street of the subdivision. This design

objective may be accomplished through the utilization of frontage road in those instances where the classification of the perimeter street would prohibit individual lots from gaining direct access to the perimeter street; or,

- (2) Single family dwellings located on lots adjacent to a perimeter street of a subdivision and located so as to have a rear or side façade oriented to said perimeter street shall utilize multiple textures (e.g., rough, smooth, striated, etc.) or multiple architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each façade visible from the perimeter street; and,

At least two (2) of the following three (3) design objectives:

- (1) Development of single family subdivisions in which the front façade of an attached or detached front load garages are stepped back from the front building line by at least one-half of the depth of the single family dwelling on the lot;
- (2) Development of single family subdivisions in which the building setback line varies within each block face to eliminate monotonous building placement; or,
- (3) Development of single-family subdivisions in which no two single-family dwellings may be located on side to side adjacent lots with the same combination or proportion of roofing or siding materials on each façade visible from a public street. This design objective may be accomplished through the use of different combinations or proportions of roofing or siding materials on each front façade, like-oriented façade and facing façade of single-family dwellings located on adjacent lots and visible from a public street. Simple variation in color scheme shall not be deemed sufficient.

f. Building Materials. **WC § 16.04.165 Development Plan Review**

In order to create variation and interest in the built environment, all single family dwellings built in a single family subdivision in a Residential District (AG-SF1, AG-SF 1 I, SF1, SF-A, SF2, SF3, SF4 and SF5) shall be restricted in the use of roofing and siding materials on all façades as follows:

- (1) No single family dwelling shall utilize rolled roofing or tar paper as the visible final layer of roofing materials.
- (2) No single family dwelling shall utilize vinyl siding on more than twenty-five (25) percent (exclusive of window or door areas) of any façade.

g. Development Plan as Requirement for Primary Plat Approval.

Approval shall not be granted to any primary plat unless a development plan shall have been approved prior to or contemporaneous with the primary plat.

E. Findings Required for Approval of a Development Plan.

The Plan Commission or Director may approve a Development Plan upon finding that:

1. The proposed development is consistent with the intent and purpose of the Westfield – Washington Township Comprehensive Plan; and,
2. The proposed development plan satisfies the development requirements specified in this Ordinance.

F. Development Requirements Which May Be Waived.

In order to encourage innovative building and site designs capable of enhancing the quality of the built environment of Westfield – Washington Township, the Plan Commission may, pursuant to IC 36-7-4-1402(b)(4), waive Development Requirements related to: Site Access and Site Circulation; Building Orientation; or, Building Materials, for the approval of a Development Plan upon making findings as specified in WC 16.04.165, G., below. The Plan Commission may not waive any other Development Requirements. Any other Development Requirement must be complied with unless a variance of such Development Requirement is obtained from the Board of Zoning Appeals.

If a Site Access waiver is requested, the Plan Commission may not grant such waiver unless a favorable review comment or letter regarding the site access waiver is received from the Town, County or State agency having jurisdiction over access to and from the applicable street.

G. Conditions for Waiver of Development Requirements.

The Plan Commission may approve a waiver of Development Requirements only upon finding that:

1. The proposed development represents an innovative use of site design / site access design / site circulation design / building orientation / building materials / landscaping which will enhance the use or value of area properties;
2. The proposed development will not be injurious to the public health, safety, morals or general welfare of Westfield – Washington Township;
3. The strict application of the Development Requirements of the Westfield – Washington Township Zoning Ordinance will result in a development of the real estate which is undesirable when compared with the proposed development;

4. The proposed development is consistent with and compatible with other development located in the area; and,
5. The proposed development is consistent with the intent and purpose of the Westfield – Washington Township Comprehensive Plan.

H. Plan Documentation and Supporting Information.

All requests for Development Plan approval shall include the following plans, as set forth Subsection J., below:

1. Site Plan. *
 2. Site Plan (for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).
 3. Overall Plan. *
 4. Landscape Plan. *
 5. Building Elevations.
 6. Lighting Plan. *
 7. Sign Plan. *
 8. Site Access and Site Circulation Plan. *
 9. A Traffic Impact Study (when a proposed development meets or exceeds the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction).
 10. Statement of Development Build-out. *
 11. Green Space Provisions. *
- * Items **not** required for an individual single family dwelling or accessory residential structure on an individual lot in a Residential District.

I. Procedures.

1. Application for Development Plan Approval by the Plan Commission shall be in compliance with the following procedures:

- a. Pre-Filing Conference.

A pre-filing conference with Staff is required prior to the filing of any Development Plan for public hearing before the Plan Commission. At the pre-filing conference, the petitioner shall provide three (3) copies of a preliminary sketch plan capable of depicting the proposed development. Staff may take up to ten (10) business days to review the proposed sketch plan and provide comments back to the petitioner. The petitioner is

encouraged to incorporate the comments received from Staff into the design of the project prior to filing for Development Plan approval.

Notwithstanding anything contained in this Ordinance to the contrary, neither the Staff's conceptual review of the sketch plan nor Staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed Development Plan.

b. Who May File.

Development Plans may be initiated by a petition signed by the owners of the land involved in the petition, or the owner's authorized agent. If an authorized agent files a petition, a signed and notarized consent form must accompany the application.

c. Filing Deadline.

All Development Plans shall be filed at least forty (40) days prior to the initial public meeting at which they are to be considered by the Plan Commission.

d. Forms of Filing.

All Development Plans for public hearing by the Plan Commission shall be on forms provided by Community Services Department. In addition, Site Plans, Overall Plans, Landscape Plans, Building Elevations, Lighting Plans, Sign Plans, Site Access and Site Circulation Plans, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality. The number of copies of all petitions and supporting documentation required to be filed shall be as established by the Community Services Department.

e. Findings of Fact.

The petitioner shall, at the time of filing of the petition, file proposed detailed written findings of fact.

f. Specifying Request.

All Development Plans shall specify the approvals or waivers requested. Any items, even if indicated on the proposed Site Plan, Overall Plan, Building Elevations or Site Access and Site Circulation Plan, shall not be considered a part of the request presented to the Plan Commission for its consideration unless specified in the Development Plan.

g. Docketing by Community Services Department.

Each Development Plan filed shall be reviewed for completeness. All Development Plans which are determined to be in proper form pursuant to the guidelines established by the Community Services Department shall, within ten (10) days of filing, be numbered and docketed by the Staff for an initial hearing by the Plan Commission.

h. Investigation of Petitions.

Upon assignment of a number and hearing date, a copy of the Development Plan and relevant supporting documentation shall be distributed to members of Staff and the members of the Technical Advisory Committee for review and comment.

The Director may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Development Plan, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Staff concerning the proposal contained in the Development Plan and a report from members of the Technical Advisory Committee. A copy of such statement shall be made available to the Petitioner and all remonstrators of record, if any.

i. Notice Requirements.

All notices for public hearings regarding a Development Plan Approval before the Plan Commission shall be provided in accordance with the following requirements:

- (1) Due and proper notice shall be served according to the provisions of Indiana law IC 5-3-1-2.
- (2) Petitioners shall notify all contiguous property owners of public hearings via certified mail, which shall be received by the contiguous property owners at least ten (10) days prior to the date of public hearing.
- (3) The petitioner must present a copy of public notice, proof of publication, and copies of certified mail receipts to the Community Services Department Staff at least five (5) days prior to the time of public hearing as proof of fulfilling due and proper notice requirements.

Any Development Plan, which has been delegated to Director for approval, may occur without public notice and without a public hearing.

j. Conduct of Public Hearings.

In order to provide all interested parties with a fair hearing, Petitioners and remonstrators shall be afforded a reasonable amount of time for the presentation of evidence, statements and argument at the public hearing of every Petition before the Plan Commission. The order of the presentation of evidence, statements and arguments shall be as follows:

- (1) Staff of the Plan Commission shall be given a reasonable time to introduce the matter being considered and for the presentation of evidence or statements regarding the petition being considered.
- (2) Petitioners shall be allotted a reasonable time to present evidence, statements and arguments in support of the petition being considered.
- (3) Plan Commission members shall be afforded the opportunity to ask questions about the petition of either Staff or the Petitioner.
- (4) Members of the public interested in the petition, whether for or against the petition, shall be allotted a reasonable time to present evidence, statements and arguments related to the petition being considered.
- (5) The Petitioner shall have a reasonable opportunity for rebuttal, which shall include only evidence, statements and argument in rebuttal of or in response to comments of Staff, the Plan Commission or members of the public, and a brief closing statement.

At the conclusion of remarks by any party, the Plan Commission shall have the right to ask questions pertaining to the evidence, statements and argument presented

The presiding officer shall have authority to cut off repetitious and irrelevant testimony and shall make reasonable efforts to allow equal time for Petitioners and remonstrators.

All persons appearing at a public hearing shall act in an orderly and courteous manner. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges extended by the Plan Commission and shall be dealt with by the presiding officer as is deemed fair and proper.

2. Application for Development Plan Approval by the Director shall be accomplished in compliance with the following procedures:
 - a. All Development Plans for approval by the Director shall be on forms provided by Community Services Department. In addition, Site Plans, Building Elevations, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality. The number of copies of a Development Plan and supporting documentation required to be filed shall be as established by the Community Services Department.
 - b. Contact the Director to make an appointment to deliver the Development Plan and provide a brief explanation of the proposed development.
 - c. Director shall have a period of not more than fifteen (15) days in which to review the proposed Development Plan and either make a decision concerning the Development Plan or request, in writing, additional information from the applicant.
 - d. Director may seek the advice and comment of members of Staff or the Technical Advisory Committee prior to making a decision.
 - e. Any Development Plan, which has been delegated to the Director, may occur without public notice and without a public hearing.
 - f. Appeals of Determinations by Director.

Any determination of the Director made under the authority of this Chapter may be appealed by any interested party to the Plan Commission within five (5) business days of such decision by filing a letter with the Plan Commission. Such letter shall request a hearing on the matter by the Plan Commission at the Plan Commission's next regularly scheduled meeting for which published notice of the appeal pursuant to I.C. 5-3-1 can be provided.

3. Fees.

In order to defray administrative costs, the following fees shall be applicable:

- a. Development Plans filed for Plan Commission approval – See WC 16.04.180 Figures; or,
- b. Development Plans filed for Director's approval – included in the building permit fee.

The applicant shall pay all fees at the time of filing of a Development Plan.

4. Hearings.

All public hearings regarding a Development Plan before the Plan Commission shall be conducted in accordance with the procedures set forth in the Rules of Procedure of the Plan Commission and in this Subsection I.

5. Amendments.

a. Amendments to Development Plans pending determination by the Plan Commission.

(1) Amendments Proposed at a Public Hearing.

The applicant may make amendments to Development Plans pending determination by the Plan Commission at any time prior to a vote being called for by the Plan Commission. If, in the sole discretion of the Plan Commission, the proposed amendment is of such a nature that additional time is needed for review, the Plan Commission may continue the consideration of such amended Development Plan to the next meeting of the Plan Commission.

The Plan Commission, in its sole discretion, may assign a continued Development Plan to a committee of the Plan Commission for further review and evaluation prior to the next meeting of the Plan Commission.

If amendments are presented by the Petitioner and agreed to by the Plan Commission at the public hearing, revised plans indicating all amendments, as approved by the Plan Commission, shall be filed with the Community Services Department within thirty (30) days of the Plan Commission hearing or prior to the issuance of an Improvement Location Permit, whichever is earlier.

(2) Amendments To Development Plans Prior To Preparation of a Staff Report.

In order for the written Staff Report regarding a Development Plan to include comments and recommendations related to plans amended in response to comments provided by Staff or members of the Technical Advisory Committee, any such amendments must be received by Staff at least two (2) weeks prior to the scheduled public hearing by the Plan Commission.

If the Director determines that additional changes have been made to the Development Plan beyond those necessary to comply with the recommendations of Staff or members of the Technical

Advisory Committee, the Director may continue the public hearing of the Development Plan before the Westfield – Washington Township Plan Commission and require the re-submittal of the amended plans for review by Staff and members of the Technical Advisory Committee.

- b. Amendments To Development Plans Pending Determination By The Director.

The applicant may make amendments to Development Plans pending determination by the Director at any time prior to a determination being made by the Director. If, in the sole discretion of the Director, the proposed amendment is of such a nature that additional time is needed for review, the amended Development Plan shall be deemed a new filing and shall be reviewed within the time frames set forth in WC 16.04.165, I., 2., above for the initial review of Development Plans by the Director.

- c. Amendments to Approved Development Plans.

Minor amendments to Development Plans which have already received approval from the Plan Commission or the Director and which do not involve: (a) an increase in height, area, bulk or intensity of land uses; (b) the designation of additional land uses; (c) the reduction in perimeter yards; (d) the addition of driveways or access points; or, (e) reduction in the amount of parking for any use, may be authorized by the Director without a public hearing in its continuing administration of the Development Plan if, in the determination of the Director, the requested minor amendments do not adversely impact the purpose or intent of the overall development.

Such minor amendments authorized by the Director shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.

If the Director determines that the proposed minor modification is of such a nature as to adversely impact the purpose or intent of the overall development, or if the proposed modification includes an increase in intensity of any land use or if the proposed modification includes the designation of an additional land use(s), petitioner shall be required to file a new petition for Development Plan Approval.

Any decision of the Director regarding the amendment of Development Plan may be appealed by any interested party to the Plan Commission within thirty (30) days of such determination.

6. Signature for Findings.

All findings specified above for the approval of a Development Plan shall be reduced to writing and signed by the Director of the Community Services Department in the case of a determination by the Director, or by the President of the Plan Commission in the case of a determination by the Plan Commission, and retained as a part of the permanent record of the determination.

J. Plan Documentation.

1. Site Plan (For Site Plan requirements for individual single family dwellings or accessory residential structure on an individual lot in a Residential District, see WC 16.040165, J., 2.).

A site plan (indicates the nature of the proposed development) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Proposed name of the development;
- e. Area map insert showing the general location of the site referenced to major streets, section lines and Alternative Transportation System, as well as the zoning and land use of adjacent property;
- f. Legal description of the site;
- g. Boundary lines of the site including all dimensions of the site;
- h. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- i. Layout, number, dimension and area (in square feet and acres) of all lots and out lots with zoning setback lines or building setback lines;
- j. Location and dimensions of all existing structures, including paved areas;
- k. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
- l. Location and name of all existing and proposed public or private streets, access easements, Alternative Transportation System, and rights-of-way within two-hundred (200) feet of the site;
- m. Location of all floodway and floodway fringe areas within the boundaries of the site;
- n. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
- o. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - # of parking spaces required and provided, residence - # of dwelling units per net acre, office - gross floor area);

- p. Structures proposed for demolition should be indicated as such;
- q. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
- r. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
- s. All improvements to street system on-site and off-site;
- t. Plan for sidewalks or Alternate Transportation System;
- u. Measurement of curb radius and/or taper;
- v. Names of legal ditches and streams on or adjacent to the site;
- w. Location and type (e.g. ground, pole, wall) of all signs on the site;
- x. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails or other similar uses;
- y. Existing zoning and land use of all adjoining real estate; and,
- z. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.

2. Site Plan (Required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

A site plan (indicates the nature of the proposed development) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Legal description of the site;
- e. Boundary lines of the site including all dimensions of the site;
- f. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- g. Location and dimensions of all existing structures, including paved areas;
- h. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
- i. Location of all floodway and floodway fringe areas within the boundaries of the site;
- j. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
- k. Use of each structure by labeling and size (e.g. one story house – 1,200 sq. ft., detached garage – 576 sq. ft., storage shed – 120 sq. ft.);
- l. Structures proposed for demolition should be indicated as such;

- m. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
- n. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
- o. Measurement of curb radius and/or taper;
- p. Names of legal ditches and streams on or adjacent to the site; and,
- q. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.

- 3. Overall Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

An Overall Plan (if applicable, indicates the nature of the subject project and its relationship to the major features of the larger integrated center of which the project is a part) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Proposed name of the development;
- e. Area map insert showing the general location of the site referenced to major streets, section lines and Alternative Transportation System, as well as the zoning and land use of adjacent property;
- f. Legal description of the site;
- g. Boundary lines of the site including all dimensions of the site;
- h. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- i. Layout, number, dimension and area (in square feet and acres) of all lots and out lots with zoning setback lines and/or building setback lines;
- j. Location and name of all existing and proposed public or private streets, access easements, Alternative Transportation System, and rights-of-way within two-hundred (200) feet of the site;
- k. Location of all floodway and floodway fringe areas within the boundaries of the site;
- l. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
- m. All improvements to street system on-site and off-site;
- n. Plan for sidewalks or Alternate Transportation System;

- o. Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;
- p. Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses;
- q. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Overall Plan requirements listed above, which are not necessary to support a thorough review of the project.

- 4. Landscape Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Landscape Plans filed in connection with the submission of a Development Plan shall: indicate compliance with the requirements of WC 16.06, et seq. - Landscaping Standards; be drawn to scale of not more than 1"=100'; and, include the following items:

- a. Names and addresses of owners, developers, plan preparers, plan preparation dates, graphic scale of drawings, and north arrow;
- b. Address of the site;
- c. Proposed name of the development;
- d. Locations and dimensions of all existing and proposed structures, parking lots, driveways, roadways, rights-of-way, sidewalks, pedestrian pathways, bicycle pathways, ground signs, refuse disposal areas bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines, easements, freestanding structural features, landscape improvements, earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, courts, paved areas, buffer yards, primary and secondary green space areas, and green belt space;
- e. Locations, quantities, sizes and names (botanical names and common names) – of planting materials;
- f. Existing and proposed grading plans, indicating contours at not more than two-foot intervals;
- g. Locations of barriers to be placed at or beyond the driplines of trees to be preserved and types of materials to be used for barriers;
- h. Planting and installation details as necessary to ensure conformance with required standards;
- i. Details indicating specific grading measures or protective devices to be utilized where trees are to be preserved in areas of cut and fill;
- j. Tables clearly displaying relevant statistical information, including numbers of existing trees, numbers of trees to be preserved, etc.;
- k. Overlay sheets at the same scale as landscape plans that display locations, sizes, and common names of individual trees that measure eight (8) inches

or more in caliper, areas of dense trees or shrubs, and other natural areas which are to be preserved or removed; and,

1. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Landscape Plan requirements listed above, which are not necessary to support a thorough review of the project.

5. Building Elevations.

Building Elevations filed in connection with the submission of a Development Plan shall be drawn to scale and shall include the following items:

- a. Address of the site;
- b. Proposed name of the development;
- c. Graphic scale;
- d. Elevations for each facade of the building;
- e. Specification or sample of the type and color of building materials to be used for all wall, window, roof and other architectural features;
- f. A separate true color rendering of the proposed building, including any proposed wall sign; *
- g. Placement, size, color and illumination details for any proposed wall sign; *
- h. Details of any exterior architectural lighting proposed on or around the building; *
- i. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Building Elevation requirements listed above, which are not necessary to support a thorough review of the project.

- * Items not required for an individual single family dwelling or accessory residential structure on an individual lot in a Residential District.

6. Lighting Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Lighting Plans filed in connection with the submission of a Development Plan shall: indicate compliance with the requirements of WC 16.07 et seq. - Lighting Standards, be drawn to scale of not more than 1"=100', and, include the following items:

- a. North arrow;
- b. Graphic scale;

- c. Address of the site;
- d. Proposed name of the development;
- e. Boundary lines of the site including all dimensions of the site;
- f. Location and dimensions of all existing structures, parking areas and walkways;
- g. Type and location of all exterior of lighting fixtures, including, wattage and type of light;
- h. Intensity of lighting at base of light structure and at the lot line measured in foot candles;
- i. If architectural building lighting is proposed, indicate the location, type and intensity of lighting on each building façade. (If architectural building lighting is proposed, the photometric plan required in item h. above, shall include the architectural building lighting in the measurement of overall light intensity at the lot line.);
- j. Timing of lighting and method of control of lighting; and,
- k. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Lighting Plan requirements listed above, which are not necessary to support a thorough review of the project.

7. Sign Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Sign Plans filed in connection with the submission of a Development Plan shall; indicate compliance with the requirements of WC 16.08 et seq. - Sign Standards; be drawn to scale; and, include the following items:

- a. Address of the site;
- b. Proposed name of the development;
- c. Graphic scale;
- d. A site plan indicating the location of any existing or proposed freestanding signs;
- e. A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;
- f. Elevation of proposed signs including size, materials and color;
- g. A true color rendering of the proposed signs;
- h. Illumination details for proposed signs, including the timing of sign illumination and method of control of such illumination; and,
- i. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

Director, in its sole discretion, may, in writing, waive or relax any of the Sign Plan requirements listed above, which are not necessary to support a thorough review of the project.

8. Site Access and Site Circulation Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

A Site Access and Site Circulation Plan shall be required all development, except individual single family homes. The Site Access and Site Circulation Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of site;
- d. Proposed name of the development;
- e. Area map insert showing the general location of the site referenced to major streets, section lines and Alternate Transportation System;
- f. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- g. Location and name of all existing and proposed public or private streets, access easements and rights-of-way within two-hundred (200) feet of the site;
- h. Location of any proposed or existing driveway onto a street or alley and its width at the lot line;
- i. Depictions of all travel lanes, turning movements, vehicle storage areas and tapers, including dimensions, at all driveways;
- j. All improvements to the street system on-site and off site;
- k. Centerline measurements between all existing and proposed driveways within two-hundred (200) feet of the site;
- l. Measurement of curb radius and/or taper;
- m. Location and dimensions of primary vehicular ways in and around the proposed development;
- n. Location of any proposed or existing sidewalk or pathway;
- j. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.

The Site Access and Site Circulation Plan requirements listed above may be incorporated into the required Site Plan.

Director, in its sole discretion, may, in writing, waive or relax any of the Site Access and Site Circulation Plan requirements listed above, which are not necessary to support a thorough review of the project.

9. Traffic Impact Study (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

A Traffic Impact Study shall be required when a proposed development will meet or exceed the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction). A registered professional engineer shall prepare the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, an applicant shall meet with the Staff of the Community Development Department to determine an appropriate scope for the Traffic Impact Study.

10. Statement of Development Build-Out (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Petitioner shall indicate, either on the submitted site plan, overall plan or in writing, a statement of: (i) the order of development of the major infrastructure elements of the project; (ii) project phase boundaries, if any; (iii) the order and content of each phase; and, (iv) an estimate the time frame for build-out of the project.

11. Green Space Provisions (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Petitioner shall indicate, either on the submitted landscape plan or in writing, along with any necessary explanatory materials or graphics, a statement of the nature and extent of all existing and proposed green space on the real estate.

K. Transitional Rules.

Any application for Development Plan or Improvement Location Permit which has been filed with the Community Development Department of Westfield – Washington Township and which application is full and complete under the provisions of the Westfield – Washington Township Zoning Ordinance prior to the effective date of this Ordinance shall continue to be processed to completion pursuant to the terms and conditions of the Westfield – Washington Township Zoning Ordinance in effect at the time of making such application.

In the case of a Development Plan subject to these Transitional Rules, substantial completion shall occur within two (2) years of the date of approval by the Plan

Commission. The Director may, for good cause shown, grant a one-time extension of up to one (1) year in duration to obtain substantial completion. If substantial completion has not occurred within two (2) years of the date of approval, or by the end of the one (1) year extension period if granted by the Director, the developer shall present a Special Request before the Plan Commission for an extension of time in which to achieve substantial completion. If an extension of time is either: not requested; or, denied by either the Director or the Plan Commission, the prior Development Plan approval shall be deemed null and void and any further development of the site shall require the approval of a new Development Plan in compliance with the terms and provisions of the Westfield – Washington Township Zoning Ordinance in effect at the time of filing of the new Development Plan.

Substantial completion shall mean, by way of example, the completion of infrastructure or structural improvements which are essential to: (i) the safe and efficient development of eighty (80) percent or more of the lots in a subdivision; or, (ii) the safe habitability, use or function of a structure.

WC 16.04.170 Board of Zoning Appeals

A Board of Zoning Appeals is hereby established with membership and appointment provided in accordance with the procedures of IC 36-7-4 and all acts now or hereafter amendatory thereto.

- A. At the first meeting of each year, the Board shall elect a chairman and a vice-chairman from among its members.
- B. The Board shall adopt rules and regulations as it may deem necessary to effectuate the provisions of this ordinance.
- C. All meetings of the Board shall be open to the public. The board shall keep minutes of its proceedings, keep records of its examinations and other official actions, prepare findings, and record the vote of each member voting upon each question. All minutes and records shall be filed in the office of the Board and shall be a public record.
- D. Any decision of the Building Commissioner in enforcement of this Ordinance may be appealed to the Board by any person claiming to be adversely affected by such decision.
- E. The board shall have the following powers and it shall be its duty to:
 - 1. Hear and determine appeals from and review any order, requirement, decision or determination made by the Building Commissioner in the enforcement of this Ordinance.
 - 2. Permit or deny special exceptions, special or contingent uses, or conditional uses from the requirements of the Zoning Ordinance. The Board may impose reasonable conditions as a part of its approval.
 - 3. Approve variances that:
 - a) Will not be injurious to the public health, safety, morals, and general welfare of the community;
 - b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - c) The need for the variance arises from some condition particular to the property involved;
 - d) The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and

- e) Does not interfere substantially with the comprehensive plan.
- F. In exercising its powers, the Board may reverse or affirm wholly or partly, or may modify the order, requirements, decisions or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the Building Commissioner and Planner from whom the appeal is taken.
- G. Every decision of the Board shall be subject to review by certiorari.
- H. The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk or area) of the Zoning Ordinance. A variance may be approved under this section only upon a determination that:
 - 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
- I. Any request not approved by the Board of Zoning Appeals may be resubmitted after 12 months from the date of the Board of Zoning Appeals action.
- J. The board shall be governed by the provisions of WC 16.04.080 concerning variances applicable to the flood plain district.

WC 16.04.180 Figures

The following figures are hereby declared to be a part of this Article:

Figure 1. Schedule of Fees

The Schedule of Fees shall be as established by annual resolution of the Town Council of the Town of Westfield. Such Schedule of Fees shall be available for review in the office of the Town Clerk and in the office of the Community Services Department.

Figure 2. Use List

Commercial Businesses

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Advertising and Business Signs, Fabrication		X	X	X
Amphitheaters	X	X		
Antiques	X	X		
Apartment-Hotels, Motels, Hotels		X		
Art School	X	X		
Artisan School	X	X	X	
Assembly Halls	X	X		
Auction Rooms		X	X	
Auditoriums		X		
Auto Parts Sales		X	X	
Auto Rental		X	X	
Auto Repair Garages			X	
Auto Rustproofing			X	
Auto Storage			X	
Auto Sales, New or Used, Service and Repair		X		
Bakeries	X	X	XP	
Banks and Savings & Loan Assn.	X	X		
Barber and Beauty Schools	X	X		
Barber and Beauty Shops	X	X		
Bicycle Sales, Rental & Service	X	X		
Billiard Parlor		X		
Blueprinting, Photocopying Job Printing		X	X	
Boat and Trailer Sales & Service		SP. EX.		X
Book Stores	X	X		
Bowling Alley		X		
Business and Clerical Schools		X		
Bus Stations		X	X	
Camera Stores	X	X		
Car Wash (Indoor)	SP. EX	X		
Caskets and Casket Supplies (Mortuary)		X	X	
Cemetery Monument Sales		X	X	X
Cemetery Monuments & Tombstones Manufacture (Including Engraving)			X	X
Charitable Donation Pick-Up Station	X	X		
Charitable Institutions		X		
China and Glassware Shops	X	X		

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Churches	X	X		
Civic Centers	X	X		
Civic Clubs	X	X		
Coin Shops	X	X		
Commercial Parking Lots and Structures, Public	X	X	X	
Commissary, Food Catering Serv.		X	X	
Concrete Contractors - Heavy Commercial			X	X
Consumer Service Offices	X	X		
Crating and Packaging Service			X	
Credit Union Offices	X	X		
Custard Stands	X	X		
Dancing Schools	X	X		
Delicatessen	X	X		
Dentists	X	X		
Department Stores - Under 10,000 Sq. Ft.	X	X		
Department Stores - Over 10,000 Sq. Ft.		X		
Discount Stores - Under 10,000 Sq. Ft.	X	X		
Discount Stores - Over 10,000 Sq. Ft.		X		
Distributors - Inside Storage			X	
Distributors - Outside Storage				X
Drive-In Food and Beverage		X		
Drug Stores	X	X		
Dry Cleaning & Laundry Pickup	X	X		
Educational Institutions Public and Private	X	X		
Electrical Contractors, Heavy Commercial			X	X
Electrical Supply Store		X	X	
Embalming School		X	X	
Employment Agencies	X	X	XP	
Exhibition Halls	X	X		
Exterminators		X	X	
Fabric Shops	X	X		
Farm Implement Sales & Service		X	X	X
Feed Stores		X	X	
Fire Stations	X	X	X	X
Floor Coverings	X	X		
Florists	X	X		

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Frozen Food Stores & Lockers		X	X	
Fruit Stands, Permanent	X	X		
Fruit Stands, Temporary	SP.EX.	X		
Furniture Stores	X	X		
Furrier Shops	X	X		
Galleries	X	X		
Garden and Lawn Materials and Supply Stores	X	X	X	
Gasoline Service Station	SP.EX.	X		
General Construction Company		SP.EX.	X	X
Gift Shops	X	X		
Glass Fabrication & Installation			X	
Government Offices-Universities	X	X	XP	
Greenhouses, Retail		X		
Grocery Stores	X	X		
Health, Fitness, and Exercise Center		X		
Hardware Stores	X	X		
Hobby Shops	X	X		
Home Remodeling Company		X	X	
Home Remodeling Supplies and Materials		X	X	
Hospitals (Minor), Medical and Dental Clinics and Labs	X	X	X	
Industrial Laundry and Dry Cleaning Plants			X	
Insurance Companies	X	X		
Interior Decorating	X	X		
Jewelry Stores	X	X		
Language Schools	X	X		
Laundromats and Self-Service Dry Cleaning	X	X		
Lawyers	X	X		
Libraries	X	X		
Liquor Stores	SP.EX.	X		
Loan Offices	X	X		
Locksmith Shops	X	X	SP. EX.	
Luggage Stores	X	X		
Lumber Yards - Including Millwork				X
Mail Order Store	X	X		
Major Appliance Store		X		
Millinery	X	X		
Miniature Golf, Archery, Driving		X		

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Range, Trampoline Centers				
Mobile Home Sales			X	
Model Display Homes & Garages			X	
Mortuaries		X		
Motorcycle Sales, Service, Repair and Outdoor Display		X		
Museums	X	X		
Music, Records, Instruments	X	X		
Music Schools	X	X		
Newspaper Distribution Station		X	X	
Newspaper Publishing		X	X	
Nursery - Plants, Retail	X	X		
Optometrists	X	X		
Paint and Wallpaper Stores	X	X		
Painting and Decorating Contractors- Heavy Commercial			X	X
Pet Grooming	X	X		
Pet Obedience Schools		X		
Pet Shops	X	X		
Philanthropic Institutions	X	X		
Photography School	X	X		
Photography Studio	X	X		
Photography Supplies	X	X		
Physicians	X	X		
Picture Framing	X	X		
Plumbing Contractors - Heavy Commercial			X	X
Plumbing Showrooms and Shop		X	X	
Police Stations	X	X	X	X
Post Offices	X	X	X	X
Printing and Photocopying, Small Jobs	X	X		
Professional & Technical Schools		X	X	
Radio and TV Service	X	X	X	
Real Estate Offices	X	X		
Recycling Collection Systems				X
Restaurants and Cafeterias Having More Than 50% of Gross Sales Derived From Food Sales Excluding Drive-Ins	X	X		
Restaurants and Cafeterias Having Less Than 50% of Gross Sales Derived From Food Sales Excluding Drive-Ins	SP. EX.	X		

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Restaurants With Live Entertainment		X		
Roller & Ice Skating Rinks		X		
Roofing Contractors - Heavy Commercial			X	X
Root Beer Stands		X		
Self-Service Car Wash		X		
Semi-Automatic Car Wash	SP.EX.	X		
Septic System Contractors			X	X
Sewing Machine Sales & Service	X	X		
Sheet Metal Contractors - Heavy Commercial			X	X
Shoe Repair	X	X		
Shoe Stores	X	X		
Sporting Goods	X	X		
Stationery Stores	X	X		
Storage and Transfer (Household Goods)			X	X
Storm Doors, Windows, Awnings, Siding Contractors - Manufacture			X	X
Taylor or Seamstress	X	X		
Taxidermist			X	
Tennis Facilities		X		
Testing Laboratories			X	
Theaters - Indoor		X		
Tire and Auto Service Center		X	X	
Tire Recapping			X	
Tobacco Shops	X	X		
Tool and Light Equipment Rental		X	X	
Toy Stores	X	X		
Trailer Rentals		SP.EX.		X
Travel Bureaus	X	X		
Travel Trailer Sales & Rentals		SP.EX.		X
Truck Cleaning, Service, Rental and Repair			X	X
Trucking Companies			X	X
Typewriter Sales, Rental and Service	X	X		
Upholsters	X	X	XP	
Veterinarians - Small Animals, No Outdoor Runs	X	X		
Warehouses - Inside Storage			X	X
Wearing Apparel & Accessory Shops	X			
Wholesalers - Inside Storage			X	X

Industrial Businesses

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Assembly Operations of Pre-Manufactured Parts, Components			X	X
Assembly, Repair & Manufacture of Light Component Parts			X	X
Bottling of Alcoholic and Non-Alcoholic Beverages			X	X
Bulk Storage, Petroleum Prod.				X
Canning, Bottling, Processing & Packaging of Food				X
Coffee Roasting			X	X
Concrete Mixing - Permanent				X
Data Processing		X	X	X
Engineering and Research Labs			X	X
Granaries, Grain Processing, Starch Manufacturing				X
Industrial Schools & Training Facilities		X	X	X
Leather Products Manufacturing From Finished Leather			X	X
Machine, Welding, Tool and Die Shops			X	X
Mfg. & Assembly of Communication Equipment			X	X
Mfg. & Assembly of Major Household Appliances			X	X
Mfg. & Assembly of Marine Equipment			X	X
Mfg. & Assembly of Office Equipment			X	X
Mfg. of Boiler Tanks				X
Mfg. of Cabinets			X	X
Mfg. of Cans and Containers			X	X
Mfg. of Cement				X
Mfg. of Cloth Products from Finished Cloth			X	X
Mfg. of Detergents & Soaps				X
Mfg. of Furniture			X	X
Mfg. of Glass & Glass Products			X	X
Mfg. of Jewelry, with Retail	X	X		
Mfg. of Jewelry, without Retail			X	X
Mfg. of Musical Instruments			X	X

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial
Mfg. of Non-Alcoholic Beverages			X	X
Mfg. of Office Machinery			X	X
Mfg. of Optical Goods			X	X
Mfg. of Paper Boxes and Paper Products From Finished Paper			X	X
Mfg. of Portable Household Appliances, Electric Hand Tools, etc.			X	X
Mfg. of Railroad Equipment, Repair and Service				X
Mfg. of Recording Instruments, Phonograph Records, etc.			X	X
Mfg. Tools, Implements, Machinery			X	X
Mattress Mfg. & Upholstering			X	X
Milk Processing, Bottling & Mfg. of Milk Products			X	X
Motor Truck Terminals				X
Outdoor Advertising Signs, Mfg. and Construction				X
Pharmaceutical, Medicine, & Cosmetic Mfg.			X	X
Production of Concrete Blocks, Shapes, Cinder Blocks, etc.				X
Secondary Food Processing and Packaging & (Initially Processed off the Premises)			X	X
Stamping & Fabricating Metal Shops			X	X
Structural Steel Fabricating				X
Warehousing & Distribution Operations (Outside Storage)				X
Well Drilling				X

Miscellaneous Businesses

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial	AG – SF1	Multi-Family
Airports & Landing Fields					SP.EX	
Amusement Parks		SP.EX.			SP.EX	
Boarding & Lodging Houses	X	X				MF 1-2
Book Stores, Adult				X		
Cemeteries					X	
Cemeteries - Pet					X	
Christmas Tree Sales	X	X			SP.EX.	SP.EX. ALL MF
Convents, Monasteries, Theological Schools, Rectories, Parishes	SP.EX.	SP.EX.			SP.EX.	SP.EX. ALL MF
Fraternities, Lodges	X	X				
Day Care Centers	X	X				MF 1-2
Golf Courses - Country Clubs					SP.EX. SF 1-2	
Heliports		X	X	X	SP.EX. SF 1	
Hospitals, Major		X				
Kennels - Including Outdoor Runs					SF 1 SP.EX.	
Livestock Auction Sale Barns					SP.EX. SF 1	
Large Animal Hospital					SP.EX. SF 1	
Mobile Home Parks						SP.EX.
Multi-Family Housing						X
Nursing Homes		SP EX				MF 2
Office Buildings - General Purpose	X	X	X			
Private and Public Schools with Dorms					SP.EX. SF 1	SP.EX. MF 1-2
Private Clubs, Lodges	X	X			SP.EX. SF 1	
Public & Private Camps					SF 1	
Raising Small			X		SP.EX.	

WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

Type of Business	Local Business	General Business	Enclosed Industrial	Open Industrial	AG – SF1	Multi-Family
Animals for Biological Purposes					SF 1	
Raising Animals for Furs or Pets			X		SP.EX. SF 1	
Riding Academies					SP.EX. SF 1	
Riding Stables					SP.EX. SF 1	
Sanitariums		X				MF 2
Schools and Kindergartens	X	X			X	X
Stockyards - Shipping, Holding & Sale of Animals					SP.EX.	
Tennis & Swim Clubs		X			SP.EX. SF 1-2	
Utilities-Regulated by Indiana Utility Regulatory Commission	SP.EX. - All Areas					
Utilities - Not Regulated by Indiana Utility Regulatory Commission	Permitted All Areas					
Wireless Communication Service Facilities (including Cell Towers)			SP.EX.	SP.EX.		

P = Eligible in Planned Business Development

NOTE: General Purpose Office Buildings are also Eligible to be Located in LB-H, SB-PD

NOTE: Where this table conflicts with other sections of the zoning ordinance that address “permitted uses” or “special exception uses” in the various zoning districts, then this table shall supercede those other sections.

NOTE: Land uses not listed on Figure 2 or in other sections of the zoning ordinance that address “permitted uses” or “special exception uses” in the various zoning districts shall be prohibited.
(As amended by Ordinance 01-05 on July 9, 2001)

PLANNED UNIT DEVELOPMENT DISTRICT

WC 16.04.190 Planned Unit Development District

A. Purpose

The purpose of the planned unit development district is to provide the opportunity to design and construct a single project comprised of a mixture of land uses, zoning classifications, residential densities and nonresidential intensities under a single overlay zone and plan and under a single ownership or control. To these purposes, the planned unit development seeks:

- a) to encourage flexibility in the development of land in order to promote its most appropriate use;
- b) to improve the design, character and quality of new developments;
- c) to encourage a harmonious and appropriate mixture of uses;
- d) to facilitate the adequate and economic provision of streets, utilities and municipal services;
- e) to preserve the natural environmental and scenic features of the site;
- f) to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and
- g) to mitigate the problems which may be presented by specific site conditions.

The Town shall discourage the use of the planned unit development district as a means of circumventing the rezoning/subdivision process or to avoid the standards and requirements of this ordinance or the Subdivision Control Ordinance. The planned unit development district shall further be discouraged as a means to guarantee density/intensity increases over those permitted in the non-planned unit development district (i.e., SF 2/PUD versus SF 2).

B. Definition

A Planned Unit Development (PUD) is a zoning opportunity for an area under single ownership or control which is developed in conformance with an approved plan, consisting of:

- a) a map showing the development area and all improvements to the development area as outlined in this ordinance;
- b) text which sets forth the uses and the development standards to be met; and
- c) exhibits setting forth any aspects of the development plan not fully described in the map and text.

The land uses and development standards expressed in the approved plan shall constitute the land use and development regulations for the PUD site in lieu of the regulations for the non-planned unit development district, except as otherwise provided herein.

C. General Development Requirements for All Planned Unit Developments

1. It is anticipated that Planned Unit Developments will generally offer the following advantages:
 - a) Address the policies included in the Comprehensive Plan specific to the neighborhood in which the PUD is to be located so as to encourage consistency with the community development vision as presented in the Comprehensive Plan;
 - b) Use design to provide compatibility between areas of different land uses and development intensities within the PUD;
 - c) Buffer different types of land uses and development intensities outside of the PUD from those within the PUD so as to minimize any adverse impact which new development may have on existing or zoned development;
 - d) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;
 - e) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area;
 - f) Promote architecture that complements the surroundings; and
 - g) Counteract urban monotony and congestion on streets.
2. The area designated in the PUD map must be a tract of land under single ownership or control. Single control of property under multiple ownerships may be accomplished through the use of enforceable commitments.
3. The concept plan shall indicate the land uses, development standards, and other applicable specifications which shall govern the development of the PUD site in lieu of the regulations for the non-planned unit development district. If the concept plan is silent on a particular land use, development standard, or other applicable specification, then the standards of the non-planned unit development district or the applicable regulations shall apply.
4. The PUD concept plan map shall show the general location of all improvements.
5. The PUD must comply with all required improvements, construction standards, design standards, and all other engineering standards contained within the Zoning Ordinance, other pertinent regulations, and adopted standards and policies, except where modification is specifically authorized through the provisions of this Section of the Ordinance.
6. The PUD must include a statement of recreational amenities and how they benefit the PUD residents. The PUD must also designate and convey active and/or passive recreational areas in accordance with the following:

- a. In the case of mixed uses, recreational amenities shall be allocated to the property in proportion to the uses assigned to the PUD and shall be located within reasonable walking distance to those uses. Provided, however, the recreational amenities need not be located in proximity to the use in the case of preservation of existing features.
- b. If the Concept Plan provides for the PUD to be constructed in stages, recreational amenities must be provided for each stage of the PUD in proportion to that stage, unless otherwise indicated and approved through concept plan approval.
- c. Conveyance. Recreational amenities shall be conveyed in one of the following forms:
 - i. To a municipal or public corporation; or
 - ii. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the PUD. All conveyances hereunder shall be structured to insure that the grantee has the obligation and the right to effect maintenance and improvement of the recreational amenities and that such duty of maintenance and improvement is enforced by the owners and tenants of the PUD; or
 - iii. To owners other than those specified in Subsections (a) and (b) above, and subject to restrictive covenants describing and guaranteeing the recreational amenities and its maintenance and improvement, running with the land for the benefit of residents of the PUD or adjoining property owners or the general community, or any combination of these.

D. Procedure for Approval of Planned Unit Development

1. Introduction. Applications shall be accompanied by all plans and documents required by Section E. A two (2) step application process shall be used, as follows:
 - a) Pre-Filing Conference; and
 - b) Concept Plan Approval.
2. Pre-Filing Conference. Prior to filing a formal application for approval of a PUD, the applicant shall schedule a pre-filing conference with the Community Development Department staff. The purpose of the pre-filing conference shall be to:
 - a. Allow the applicant to present a general concept and to discuss characteristics of the development concept in relation to adopted Town policies; and
 - b. Allow the Community Development Department staff to inform the applicant of applicable policies, standards and procedures for the PUD.

The pre-filing conference is intended only for the above purposes. Neither the developer nor the jurisdiction is bound by any suggestion or recommendation or statement made during a pre-filing conference.

3. Procedure for PUD District Ordinance and Concept Plan Approval:

- a) A PUD District Ordinance application shall include a Concept Plan and shall be submitted to the Community Development Department Staff. The Concept Plan shall specify all land uses and applicable development regulations of the PUD in general terms. After determining the application to be complete, Staff shall undertake a review of the submitted information.
- b) The initial staff review and the application shall be submitted for Land Use Committee consideration in advance of the Plan Commission consideration of the application.
- c) The application and such other documents as may be pertinent to the PUD along with a staff report (including comments from the Land Use Committee) shall then be forwarded to the Plan Commission for its consideration.
- d) The Plan Commission shall hold a public hearing in accordance with IC 5-3-1.
- e) Upon completion of its review, the Plan Commission shall certify the application to the Westfield Town Council with a recommendation for approval, or a recommendation for approval with conditions or commitments, or a recommendation for disapproval, or no recommendation. The Council may then exercise all the authority provided by IC 36-7-4-1512.
- f) The Westfield Town Council shall vote on the proposal within 90 days after the Plan Commission certifies the proposal. The Council may adopt or reject the proposal. If the Plan Commission has given the proposal a favorable recommendation and the Council fails to act on the proposal within 90 days, the Ordinance takes effect as if it had been adopted as certified 90 days after certification. If the Plan Commission has failed to make a recommendation or has given the proposal an unfavorable recommendation and the Council fails to act on the proposal within 90 days, the proposal is defeated.

4. Effect of Approvals of PUD District Ordinance and Concept Plan:

- a. When a PUD District Ordinance and Concept Plan for a PUD have been approved by the Westfield Town Council, the Concept Plan shall become effective, shall be recorded in the Hamilton County Recorder's Office and the Zoning Map shall be amended to designate the site as a PUD.
- b. Upon such amendment of the zoning map, the use and development of the site shall be governed by the PUD District Ordinance and Concept Plan, subject to a secondary review conducted in accordance with the requirements of the Development Plan approval process and any other regulatory processes which may be required.
- c. No permit of any kind shall be issued until the secondary review by Development Plan has been approved and any other regulatory processes which may be required have been completed.

5. Secondary Review by Development Plan:

- a) Development Plan Review, as provided for in WC 16.04.165, shall be required as the secondary review for all PUDs. In addition to those requirements, the Development

- Plan shall include a designation of the specific internal use or range of uses to which each building shall be put.
- b) Where a Development Plan covers an entire PUD site, the Development Plan shall be submitted for approval not more than 18 months following Westfield Town Council's approval of the Concept Plan. The Plan Commission may extend the time for application for approval of Development Plan for good cause, consistent with the purposes of this Ordinance.
 - c) Development Plans may be submitted and approved in phases, with each phase representing a portion of the Concept Plan, if phasing and the time limit for submitting each phase for approval was approved as a part of the Concept Plan approval. The timing for submitting phases shall be as set forth in the Concept Plan rather than the established time period for single-phase Development Plans mentioned in the above paragraph. The Plan Commission may extend the time for application for approval of Development Plan for good cause, consistent with the purposes of this Ordinance.
 - d) Periodically, the Community Development Department staff shall report to the Plan Commission on PUDs whose time limits have expired. The applicants shall also be notified. The Plan Commission shall determine whether to consider extending the time or to initiate action to amend the Zoning Map so as to rescind the PUD designation and Concept Plan approval and return the property to the previous zoning district or another zoning district that is consistent with Comprehensive Plan policies.
 - e) The Development Plan shall conform to the approved Concept Plan which has been presented in accordance with the requirements listed below and approved by the Westfield Town Council.
 - f) No permit of any kind shall be issued for any purpose within a PUD except in accordance with the approved Development Plan, and after acceptance by the Town of Westfield of all required guarantees for improvements pursuant to Section E., 3.

E. Specific Development Requirements for all Planned Unit Developments

PUD plans and supporting data shall include all documentation listed in this section of the Zoning Ordinance unless certain documentation is deemed superfluous by the Community Development Department staff due to the specific circumstances of the particular request.

1. Concept Plan Pre-Filing Conference Requirements

- a) A written letter of intent describing the development intentions for the site.
- b) A scaled drawing of the site and its environs, in simple concept form, showing the proposed location and extent of land uses, major streets, and the approximate location of existing easements, natural features, and topographic or geologic constraints.

2. Concept Plan Requirements

- a) A drawing of the PUD shall be prepared at a scale not less 1"=100', or as considered appropriated by Community Development Department staff, and shall show, in

general terms, the concept proposed for: major circulation; generalized location and dimensions of buildings, structures, and parking areas; open space areas; recreation facilities; and other details to indicate the character of the proposed development. The submitted drawing(s) shall include:

- 1) A site location map showing the project location and other development projects in the vicinity.
 - 2) The name of the development, with the words "Concept Plan".
 - 3) Boundary lines and acreage of each land use component.
 - 4) Existing easements, including location, width and purpose.
 - 5) Existing land use on abutting properties.
 - 6) Other conditions on the site and adjoining land: topography (at 10-foot contours) including any embankments or retaining walls; use and location of major buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision.
 - 7) Existing streets on and adjacent to the tract, including street name, right-of-way width, walks, pathways and bridges and other drainage structures.
 - 8) Proposed public improvements: collector and arterial streets and other major improvements planned by the public for future construction on or adjacent to the tract.
 - 9) Existing utilities on the tract.
 - 10) Any land on the tract within the floodplain as depicted on the Flood Insurance Rate Maps dated March 11, 1983, and as subsequently amended.
 - 11) Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, existing structures and other significant features such as significant isolated trees.
 - 12) Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
 - 13) Map data such as north point, graphic scale and date of preparation.
- a) The Community Development Department staff shall inform the applicant of any additional documents or data requirements after the pre-filing conference.
 - b) A Written Statement of Character of the PUD shall provide an explanation of the character of the PUD and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall include:
 - 1) A specific explanation of how the proposed PUD meets the objectives of all adopted land use policies which affect the land in question.
 - 2) A statement of present and proposed ownership of all land within the project including the beneficial owners of a land trust.
 - 3) Development scheduling indicating:
 - (A) Phases in which the project will be built, including the area, density, use, public facilities, and open space to be developed with each phase. Each phase shall be described and mapped.
 - (B) Projected dates for beginning and completion of each phase.
 - 4) General details of the proposed uses:

- (A) Residential Uses: gross area, architectural concepts (narrative, sketch, or representative photo), number of units for each residential component;
- (B) Nonresidential Uses: specific nonresidential uses, including gross areas, architectural concepts (narrative, sketch, or representative photo), and building heights.
- 5) Preliminary concepts and reports for the following facilities:
 - (A) Streets
 - (B) Street lighting
 - (C) Sidewalks and pathways
 - (D) Sanitary sewers
 - (E) Water supply system
 - (F) Other utilities
 - (G) Storm water management
 - (H) Schools
- d) A Traffic Impact Study (when a proposed development meets or exceeds the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction).
- e) A brief report of a neighborhood meeting to which the petitioner invited owners of property within 500 feet of the boundaries of the development to discuss the proposal. The report shall summarize the results of the meeting.

F. Review Considerations

1. In their consideration of a PUD District Ordinance and Concept Plan, the Community Development Department staff in its report to the Plan Commission, the Plan Commission in its recommendation, and the Westfield Town Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:
 - a) The extent to which the PUD District Ordinance and Concept Plan meets the purposes of this Planned Unit Development District, the Comprehensive Plan, and any other adopted planning policies, objectives or regulations of the jurisdiction.
 - b) The extent to which the proposed PUD District Ordinance and Concept Plan meets the requirements, standards, and stated purpose of this Planned Unit Development District.
 - c) The extent to which the proposed PUD District Ordinance and Concept Plan departs from the zoning and other regulations that are otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.
 - d) The proposal will not be injurious to the public health, safety, and general welfare.

- e) The physical design proposed by the PUD District Ordinance and Concept Plan and the extent to which it makes adequate provision for:
 - a. public services;
 - b. adequate control over vehicular traffic;
 - c. protection of designated permanent open space; and
 - d. furthering the amenities of light, air, recreation and visual appeal.
- f) The relationship and compatibility of the proposed PUD District Ordinance and Concept Plan to the adjacent properties and neighborhood.
- g) The desirability of the proposed PUD District Ordinance and Concept Plan in relation to the Town's physical development, tax base and economic well-being.
- h) The development proposed by the PUD District Ordinance and Concept Plan will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services or improvements that are proposed by the developer as a part of the project approval.
- i) The development proposed by the PUD District Ordinance and Concept Plan preserves significant ecological, natural, historical, and architectural resources to the extent possible.

G. Guarantee of Performance for Completion of Improvements A bond or other guarantee acceptable to the Town of Westfield shall be provided for all required public improvements and shall be executed prior to the time of improvement location permit issuance for single site developments or prior to subdivision plat recording, which ever applies. Improvements that shall be guaranteed include facilities which shall become public, and may include other facilities or improvements as may be specified in the Concept or Development Plan approval. If the project is to be built in phases, the guarantee shall be posted prior to the commencement of work on each phase. The guarantee shall specify the time for completion of improvements, and shall be in an amount of 110 percent of the estimated cost of the improvements.

H. Changes in the Planned Unit Development

- 1. Changes that shall require a new Concept Plan approval include changes which alter the concept or intent of the PUD including but not limited to:
 - a) Increases in density or intensity;
 - b) Changes in the proportion or allocation of land uses;
 - c) Changes in the list of approved uses;
 - d) Changes in the locations of uses;
 - e) Changes in functional uses of open space, where such change constitutes an intensification of use of the open space; and/or
 - f) Changes in the final governing agreements where such changes conflict with the Concept Plan approval.

- I. Procedure for Making Changes to an Approved Planned Unit Development The procedure for making changes to an approved PUD shall be the same as the procedure for an initial PUD approval as outlined in WC 16.04.190 D, E and F.

J. Sunset

1. Timeline for Obtaining Approvals: Within 18 months from the date of the approval of the PUD District Ordinance and Concept Plan by the Council, application for Development Plan approval, in total or in phases, shall be submitted for review. The Plan Commission or Director, as provided by WC 16.04.165 B, shall review the Development Plan for consistency with the approved PUD District Ordinance and Concept Plan. If a Development Plan is filed for in phases, each subsequent phase shall be filed for within 18 months of the approval of the prior phase.
2. Expiration of PUD District Ordinance and Concept Plan. In the event that Development Plan approval is not obtained for all or a portion of the PUD within the time frames outlined in 1. above, the PUD District Ordinance and Concept Plan shall be deemed to have expired for that portion of the PUD that has not received Development Plan approval, except for the location and density of the proposed land uses depicted on such PUD District Ordinance and Concept Plan. Once a PUD District Ordinance and Concept Plan have expired for any portion of the PUD, no development shall occur within the expired portions of the PUD until:
 - a) a new PUD District Ordinance and Concept Plan are approved as set forth in WC 16.04.165 D, E and F; and
 - b) a Development Plan approval as required by this section has been obtained.
3. Extensions of Time. Extensions of time, in six (6) month increments not to exceed a total of 18 months, for obtaining Development Plan approval may be granted by the Director if requested in writing on or before the 18 month anniversary of approval of the PUD District Ordinance and Concept Plan and for good cause shown. In the event that the Director disallows a requested extension, the developer may appeal said determination regarding an extension of time to the Board of Zoning Appeals (as per IC 36-7-4-918.1) within 30 days of being notified of such determination.

[end]

WC 16.04.200 Establishment of Controls

No plat of a subdivision of land located within the jurisdiction of the Westfield-Washington Township Plan Commission shall be recorded until it shall have been approved by the commission, and such approval shall have been approved by the Commission, and such approval shall have been entered in writing on the plan by the president and secretary of the Commission.

WC 16.04.210 Definitions

Definitions - For the purpose of the Westfield - Washington Township Comprehensive Zoning Ordinance, certain terms and words shall be interpreted and defined as follows: words in the present tense include the future and vice-versa; the words in the singular number include the plural number and vice-versa; the word “building” includes the word “structure” and vice-versa; the word “shall” is mandatory and not directory.

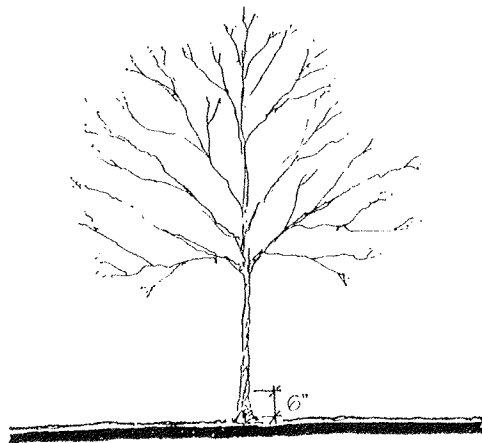
- Abutting - Bordering
- Access Way – A paved area intended to provide ingress and egress of vehicular traffic from public rights-of-way to off-street parking areas.
- Accessory Building - A subordinate building, the use of which is incidental to and customary in connection with the principal building or use and which is located on the same lot with such principal building or use and is under the same ownership. Accessory buildings must be subordinate in height, width, length and bulk to principal building. Buildings which are portable and do not have permanent foundations are also classified as Accessory Buildings but are not subject to improvement location permits.
- Active Recreation – Any program or facility that provides physical exertion as a means of exercise or enjoyable relaxation. Examples of active recreation include, but are not limited to: field sports (softball, soccer), court games (basketball, volleyball), designated trail facilities, etc.
- Aggregate Lot Area – The sum of all land acreage within a given development (i.e., planned developments, planned business districts, local retail districts) including outlots.
- Agriculture - The art or science of cultivating the ground, and raising and harvesting crops, also often including feeding, breeding and management of livestock; tillage, husbandry, farming; in a broader sense, the science and art of the production of plants and animals useful to man. In this broad use it includes farming, horticulture, forestry, dairy farming, etc.
- Airport - A use devoted to the take-off, landing and storing of and servicing aircraft.
- Alley - A permanent right-of-way which provides a secondary means of access to abutting lands.
- Alley Line - A lot line bordering on an alley.
- Alternative Transportation Plan - A plan which illustrates bicycle paths, walking paths, and sidewalks throughout and around a geographic area. Westfield’s

Alternative Transportation Plan is part of the Hamilton County Thoroughfare Plan which has been adopted by reference by the Town of Westfield.

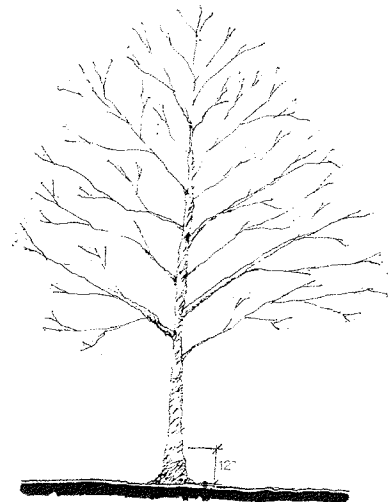
- Apartment - A building or portion thereof designed for or occupied by more than two families. Also a multi-family dwelling.
- Art Studios - The conducting of one or more of the following activities: painting, sculpturing, jewelry making, weaving or other similar function defined as a fine art.
- Assisted Living Facilities – A facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contains four or more dwelling units and/or rooming units; provide a combination of housing, support services, personalized assistance, and health care; and responds to the individual needs of persons who need assistance with the activities of daily living, but do not require 24-hour skilled medical care.
- Banner. Banner means any hanging sign possessing characters, letters, illustrations or ornamentations which are designed or intended to convey any identification, message or information other than an address number and which are applied to paper, plastic or fabric of any kind. This classification shall not include plastic or fabric signs which are permanently attached within a rigid frame which are intended to be used as a permanent sign. National flags, flags of political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this chapter.
- Basement - A story having part, but not more than one-half, of its height below grade. A basement is counted as a story for the purpose of height regulation if subdivided and used for dwelling purposes.
- Beauty Shop - The providing of beauty culture services to members of the general public as the result of being properly licensed and inspected.
- Block - A unit or property bounded by streets, or by streets and/or railroad right-of-way, waterways, or other barriers.
- Block Frontage - Property having frontage on one side of a street and lying between the two nearest intersecting streets, or nearest intersecting street and railroad right-of-way, waterway or other barrier.
- Board - The Westfield-Washington Township Board of Zoning Appeals.
- Boarding House - A building where meals are regularly served for compensation for three or more persons, but not exceeding 12 persons, not open to transients, in contradistinction to hotels and restaurants open to transients.

- Buffer Yard – A buffer yard is a unit of yard together with the planting thereon. They should physically separate and visually screen different zoning districts from one another without precluding connectivity between uses.
- Buffering – The use of landscaping, berms, walls, or decorative fences to at least partially screen views of structures from streets or neighboring properties. Buffering is typically required to screen vehicular use areas, parking lots, and other visually obtrusive features of development from view.
- Building - A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels or other property. When separated by party walls, without opening through such walls, each portion of such a building shall be considered a separate structure.
- Building Area - The maximum horizontal projected area of the principal and accessory building, excluding open steps or terraces, porches without roofs not exceeding one story in height, or architectural appurtenances projecting not more than two feet.
- Building Commissioner - The official designated by the Westfield Town Council, authorized to enforce the Westfield - Washington Township Comprehensive Zoning Ordinance and the Westfield - Washington Township Building Code.
- Building, Detached - A building having no structural connection with another building.
- Building Facade – The side of a structure that abuts the front yard.
- Building, Front Line of - The line of the face of the building nearest the front lot line.
- Building, Height of - The vertical distance measured from the lot ground level to the highest point of the roof for a flat roof; to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs. Chimneys, elevators, tanks, and other similar structures shall not be included in calculating heights.
- Building Line (Building Setback Line) - The line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of a building or structure and the front lot line as defined by the legal description.
- Building Permit - A permit signed by the Building Commissioner stating that a proposed improvement complies with the provisions of the Westfield Building Code. The Building Permit is part of the Improvement Location Permit. The Westfield Building Code is administered for all of Washington Township under an inter-local agreement with Hamilton County.

- Building, Principal - A building in which is conducted the main or principal use of the lot on which said building is situated. Where a substantial part of an accessory building is attached to the principal building in a substantial manner, as by a roof, such accessory building shall be counted as a part of the principal building.
- Business - The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or services, the maintenance or operation of offices, or recreational and amusement enterprises for profit.
- Caliper - A standard trunk diameter measurement for trees. Caliper measurements are taken six inches above the finished grade for trees with a diameter of four inches or less, and twelve inches above the finished grade for larger sizes.



4" Caliper Tree



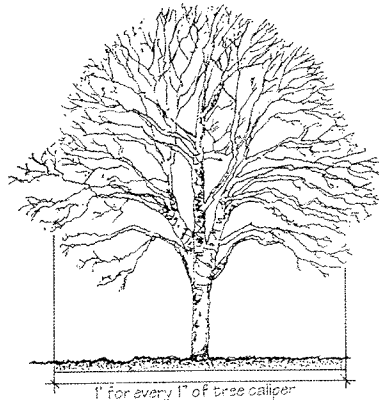
8" Caliper Tree

- Campgrounds, Public - A parcel of land used or intended to be used for temporary occupancy by campers, or for temporary occupancy by or of recreational vehicles, travel trailers, mobile homes, tents, cabins, or other temporary accommodations.
- Carnival/Festival. Carnival/Festival means a temporary and transportable activity, bazaar, or fair which celebrates or promotes a special occasion and may include but not be limited to any combination of crafts, exhibits, entertainment, games, rides, and display of items for sale or purchase.
- Cellar - A story having more than one-half of its height below the average grade of the adjoining ground. (See Basement)

- Cemetery - Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.
- Certificate of Occupancy - A certificate signed by the Building Commissioner stating that a given structure has passed all appropriate inspections and is approved for occupancy as established in this ordinance.
- Church - A building set aside only for public worship.
- Clergyman, Lawyer, Architect or Accountant - Professional services conducted in the home requiring no support services except as may be provided by other members living in the dwelling.
- Climbing (Play) Element – Playground equipment that requires or promotes the use of hands and/or feet to allow children to raise themselves from one level to another.
- Club - Buildings and facilities owned or operated by a person for social, educational, or recreational purposes, but not primarily for profit or to render a service which is customarily carried on as a business.
- Cluster Housing - Dwelling units having their own ground floor entrances and open space, and joined to other dwelling units by a common party wall or other horizontally unifying structural element.
- Collector - Collector streets take traffic from local streets, carry it over short distances, and distribute it to primary or secondary arterials. (80 feet right-of-way)
- Commercial Farm Enterprise - An operation or use inherent to or closely associated with a farm or agriculture, such as the buying, selling or distribution of livestock or farm or agricultural products or products essential to farm operation; but not including industrial grain elevators, industrial mills, abattoirs, commercial hatcheries and poultry processing plants, the manufacture of commercial fertilizers and similar enterprises which are of an industrial nature.
- Commission - The Westfield-Washington Township Plan Commission.
- Condominium - One or more structures, each structure having two or more dwelling units or other units for occupancy and wherein provisions have been made for separate ownership of each individual dwelling unit of occupancy unit. A type of ownership.
- Conservation Easement – An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural,

scenic, open or wooded condition retaining such areas as suitable habitat for fish, plants, wildlife, or maintaining existing land uses.

- Contingent Use - A use which is likely or liable but not certain to occur and which is not inappropriate to the principal uses of the district in which it may be located. Contingent uses are listed as permitted uses in each district.
-
- Critical Root Zone (CRZ) – A circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained in order for trees to remain healthy. The critical root zone is calculated at one foot of radial distance per inch of tree caliper, with a minimum of eight feet.



Critical Root Zone

- Cul-de-loop - A street that turns into and reconnects with its main axis, with the center or island used for parking or open space purposes.
- Cul-de-sac (court or dead end street) - A street having one end open and being permanently terminated at the other by a vehicle turn-around.
- Cut-off fixtures, eighty-five degree. Eighty-five (85) degree cutoff fixtures means those fixtures that do not allow light to escape above an eight-five (85) degree angle measured from a vertical line from the center of the lamp extended to the ground.
- Cut-off fixtures, full. Full cut-off fixtures means those fixtures that are designed or shielded in such a manner that all light emitted by a fixture is projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
- Decibel - A unit of measurement of the intensity of loudness of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.

- Deciduous – A plant with foliage that is completely shed annually in early to mid autumn.
- District - A section of land area within Washington Township, Hamilton County for which regulations governing building height, building size, intensity of land use, etc. are established in the Westfield-Washington Township Comprehensive Zoning Ordinance.
- Dressmaking - Alterations or the making of men's or women's clothing.
- Detention Pond – An area constructed as a dry basin. The area provides temporary floodwater storage during a storm event. These areas can provide multipurpose uses such as recreational areas and open space. Subsurface drainage is needed on poorly and somewhat poorly drained soils to prevent marshland.
- Development Amenities – Neighborhood features that provide comfort, convenience, pleasure, and increased quality of life within developments. Development amenities may include, but are not limited to clubhouses, gyms, swimming pools, tennis courts, basketball courts, ball-fields (soccer, football, etc.), walking/jogging/biking trails, picnic/barbecue group areas, playgrounds, volleyball courts, and racquetball courts.
- Dripline – A vertical line extending perpendicularly from the ground to the outermost edges of a tree canopy or shrub branches.
- Driveway - A private road which provides access to a lot, or to a use located on such lot, from a public way.
- Dwelling - A building or portion thereof on a permanent foundation, used primarily as a place of abode for one or more human beings, but not any facility normally providing housing for a period of under 30 days.
- Dwelling, Detached - A dwelling unit which does not share a common wall with any other dwelling and is surrounded on all sides by open space located on the same lot.
- Dwelling, Duplex – A building designed for or occupied by two family units, living independently of each other in individual dwelling units.
- Dwelling, Efficiency Unit – A dwelling unit consisting of one principal room, including sanitary, cooking, living, sleeping facilities, and/or dining alcove.
- Dwelling, Multi-family – A building designed for or occupied by three or more family units, living independently of each other in individual dwelling units. Multi-family dwellings include apartments, row houses, group homes, dormitories, etc.

- Dwelling, Quadraplex – A building designed for or occupied by four family units, living independently of each other in individual dwelling units.
- Dwelling, Single-family – A building designed for or occupied by one family unit.
- Dwelling, Triplex – A building designed for or occupied by three family units, living independently of each other in individual dwelling units.
- Dwelling, Townhouse – A one-family dwelling unit with a private entrance, which is part of a larger structure whose dwelling units are attached in a linear arrangement. Townhomes possess totally exposed front and rear walls, used for access, light, and ventilation.
- Dwelling Unit – Any room or group of rooms located within a dwelling, which forms a single habitable unit for occupancy by one (1) family unit. Dwelling units include facilities that are used, or intended for use as living, sleeping, cooking, and eating accommodations.
- Easement - Land which has been designated by lawful agreement between the owner or owners of land and a person or persons for a specified use only by such person or persons.
- Educational Institution - Public or parochial preprimary, primary, grade, junior high, high, preparatory school or academy; junior college, college or university, if public or founded or conducted by or under the sponsorship of a religious or charitable organization.
- Evergreen – Coniferous or broad-leaved plants whose leaves remain throughout the year and are continually dropping and being replaced by new springtime growth.
- Evergreen Screen – A plant or plants growing to a specified height that retains foliage throughout the year, which is planted to provide a dense vegetative screen for purposes of visual obstruction (see *Vegetative Screen*).
- Expressway - An Expressway is an arterial highway for through traffic, whose main purpose is to move traffic rather than to provide access to individual properties. An Expressway is a divided highway with full or partial control of access and a limited number of at-grade intersections. (right-of-way width varies)

WC 16.04.210 Definitions

- Family - One or more persons occupying a building and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, nursing home, fraternity or sorority house.

- Fiber cement siding - is not a masonry product. Fiber cement siding is a mix of Portland cement, ground sand, cellulose fiber and various additives mixed with water and manufactured into a siding material.
- Final Plat - Final plans of single family residential developments as set forth in WC 16.04.220
- Floodplain - Any floodplain, floodway or floodway fringe district or combination thereof as illustrated on the Flood Boundary and Floodway map as prepared by the Federal Insurance Administration.
- Floor Area, Gross Ground - The square foot area of a residential building within its largest outside dimensions computed on a horizontal plane at the ground floor level exclusive of open porches, breezeways, terraces, garages and exterior stairways.
- Floor Area, Total - The total area computed on a horizontal plane inclusive of basements, cellars, attached garages, and screened or enclosed porches, but exclusive of exterior entryways and attics.
- Foot-candle. Foot-candle means a unit of illumination produced on a surface, all points which are one foot from a uniform point source of one candle.
- Front Façade: The wall that contains the primary public entrance for the tenant space
- Frontage - All the property on one side of a street between two intersecting streets measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.
- Frontage Road - A right-of-way which runs near to and characteristically, but not necessarily, parallel to a limited access right-of-way.
- Garage, Private - An accessory building or attached area with capacity for not more than four motor vehicles per family nor more than 850 square feet.
- Garage, Public - Any building, except those defined herein as a private garage, used for the storage, or care of motor vehicles, or where such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.
- Glare. Glare means light emitted by a luminaire at an intensity that causes a reduction in visibility, eye fatigue, or in extreme cases momentary blindness.

- Grade - The average level of the finished surface of ground adjacent to the exterior walls of the building.
- Green Belt Space - That portion of land of a sub-division, multi-family, commercial or industrial development that is set aside as a screening area, parks, wetlands, public pathways or nature preserves. This term may include abandoned railroad rights-of-way, but does not include road medians, water retention areas, swimming pools, tennis courts, golf courses and similar recreational facilities, and any area included in individual lots in a residential subdivision.
- Groundcover – Ornamental plants growing less than two feet in height at maturity, used as an alternative to grasses.
- Gutter -The edge part of a street where curbs are provided that carry stormwater runoff to its destination.
- Home Garage Sales - The conducting of home rummage sales for the benefit of the family or a group of families.
- Home Occupations Permitted - A gainful occupation or profession conducted by a member of a family residing on the premises and where the business or profession is conducted within the building and is listed as a permitted home occupation in the district involved:
- Hospice – A facility that provides inpatient support care and attends to the emotional, spiritual, social, and financial needs of terminally ill patients and their families.
- Hospital - An institution licensed by the State Board of Health and providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices which are an integral part of the facility, provided such institution is operated by or treatment is given under direct supervision of a licensed physician. Types of hospitals include general, mental, chronic disease and allied special hospitals such as cardiac, contagious disease, maternity, orthopedic, cancer and the like.
- Hotel - A building in which lodging is provided and offered to the public for compensation and which is open to transient guests in contradistinction to a boarding or lodging house.
- Improvement Location Permit - A permit signed by the Building Commissioner stating that a proposed improvement complies with the provisions of the Westfield - Washington Township Comprehensive Zoning Ordinance.

- Improvements – Any building, structure, parking facility, fence, gate, wall, work of art, underground utility service, land disturbing activity, or other object constituting a physical alteration of real property, or any part of such alteration (see *Land Disturbing Activity*).
- In-line Tenant: Any tenant within a multi-tenant building where each individual tenant has an exterior store front and patron entrance.
- Industrial Park - A single structure or group of structures for industrial operations forming a comprehensive arrangement of buildings, grounds, and access ways planned in accordance with harmonious principles of architectural and landscape architectural design, and industrial management.
- Interested Parties - Those persons who are to be notified by mail of a public hearing, or other action; namely, (1) the applicant or developer of the subject property; and (2) all fee simple owners (executive officer or board of governmental owner) of real property to a depth of two (2) ownerships of no direct or indirect financial or other interest to the applicant or developer) or one-eighth (1/8) of a mile, whichever is less, but not less than two properties, in all directions from the subject property. Where the applicant or developer of the subject property has a direct or indirect financial or other interest within (2) ownerships or one-eighth (1/8) of a mile, then notice must extend beyond that direct or indirect financial or other interest as if that interest was part of the subject property. If such real property consists of “common areas” that are owned and/or maintained by a property owners’ association, then the association rather than the individual association owners shall be deemed the “interested party” for the purposes of notice, unless, additionally, the Director orders that certain individual owners be provided with notice as interested parties. The identities of interested parties shall be determined from the following sources: (1) the application; (2) the Auditor’s Plat Books for the county in which the interested party property lies; and (3) the Auditor’s Transfer Books for the county in which the interested party property lies.
- Junk Yard - Any place at which personal property is or may be salvaged for reuse, resale or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled, or assorted, including but not limited to, used or salvaged base metal or metals, their compounds or combinations, used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property except animal matter; and used motor vehicles, machinery or equipment which is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.
- Jurisdiction of the Plan Commission - All of Washington Township, Hamilton County.

- Kennel - Any lot on which four or more dogs, or small animals, at least four months of age are kept.
- Lamp. Lamp means a component of a luminaire that produces light. A lamp includes a bulb and its housing.
- Land Disturbing Activity – Any man-made change of land surface area, including clearing, cutting, excavating, filling, grading, or any other activity that alters land topography or vegetative cover. This does not include agricultural land uses such as planting, growing, cultivating, harvesting, or gardening.
- Land Use Plan - A plan which defines a PCD's geographic boundaries, planned uses and their locations. This plan may include the following uses: recreational facilities, open/green space, rights-of-way, parking, multi-family, single family, and commercial.
- Landscaping – The improvement of a lot, parcel, or tract of land with a combination of living plants such as grasses, shrubs, trees, and/or other plant materials and nonliving materials such as rocks, mulch, walls, fences, and/or ornamental objects designed and arranged to produce an aesthetically pleasing effect.
- Landscaping Plan - A plan which illustrates all details, cross-sections, rights-of-way, easements, property lines, plant materials and sizes, and slope information of all proposed mounds. (see WC 16.04.100 4 - Landscaping)
- Light emitting diode (LED). Light emitting diode means a semiconductor device that emits visible light when an electric current passes through it.
- Light fixture. Light fixture means the assembly that houses a lamp(s) and may include some or all of the following parts: an assembly housing, mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and a refractor or lens.
- Light pollution. Light pollution means general sky glow which is caused by the scattering of artificial light in the atmosphere, caused by luminaries.
- Light trespass. Light trespass means light emitted by a luminaire that shines beyond the boundaries of the property on which the luminaire is located.
- Lighting Plan - A plan depicting proposed design and materials of light fixtures, location of lighting, and directional focus of lights.
- Linear Footage, Wall: The horizontal length of a building wall. Linear footage shall be measured as the horizontal distance between building corners, regardless if the building wall is convex, concave, or has projecting or inset portions.

- Livestock - Animals and especially farm animals, raised for use, profit or enjoyment including horses, ponies, cattle, sheep, goats and other similar domesticated animals.
- Loading and Unloading Berths - The off-street area required for the receipt or distribution by vehicles of materials or merchandise, which in this Ordinance is held to be a 12 by 45 foot loading space with a 14 foot height clearance.
- Local Road or Street - Local Roads or Streets take traffic from collector streets and distribute the traffic through subdivisions, neighborhoods and business areas to individual homes, apartments, business sites, and industrial sites. (50 feet right-of-way)
- Lodging House - A building where lodging only is provided for compensation to three or more, but not exceeding 12 persons, not open to transients, in contradistinction to a hotel which is open to transients.
- Lot - A land area with a properly recorded legal description, accessible by means of a street.
- Lot, Corner - A lot at the junction of and abutting two or more intersecting streets.
- Lot, Depth of - The mean horizontal distance between the front lot line and the rear lot line of a lot, measured in the general direction of the side lot line.
- Lot, Interior - A lot other than a corner lot or through lot.
- Lot Line, Front - In the case of an interior lot, a line separating a lot from the street; and in the case of a corner lot, a line separating the narrowest frontage of a lot from the street, except in the case where deed restrictions specify another right-of-way line as the front lot line.
- Lot Line, Rear - A lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangle-shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.
- Lot Line, Side - Any lot boundary line not a front lot line or a rear lot line.
- Lot of Record - A lot which is part of a subdivision, the map of which has been recorded in the office of the Hamilton County Recorder, or a parcel of land, the deed to which has been recorded in the office of the Hamilton County Recorder prior to the date of passage of this Ordinance.
- Lot, Reversed Interior - An interior lot, the front lot line of which is formed by a street, which street also forms the side lot line of an abutting corner lot. The

corner lot is considered abutting even though separated from the interior lot line by an alley.

- Lot, Through - A lot having frontage on two parallel or approximately parallel streets.
- Lot, Width - The dimension of a lot, measured between side lot lines on the building line.
- Lumen. Lumen means a unit of measurement of luminous flux. One foot-candle is one lumen per square foot.
- Luminaire. Luminaire means a complete lighting system, and includes the lamp or lamps and a fixture.
- Luminance. Luminance means a level of light measured at a point on a surface.
- Mail Order Business - The receiving of goods or materials through the mail such as magazines, catalog sales, etc., where the goods or materials are not inventoried on the premises of the dwelling.
- Maintenance, Landscaping – The pruning, mulching, mowing, spraying, fertilizing, propping, bracing, treating for disease or injury, snow removal, and other similar activities which promote the life, growth, health and beauty of landscape vegetation.
- Manufactured Home - A dwelling unit designed and built in a factory after January 1, 1981, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq).
- Manufactured Home Park - An area of land of not less than five acres which compiles with the minimum standards for a mobile home park as established by ordinance, and which is to primarily harbor mobile homes.
- Master Plan - The complete plan or any of its parts for the development of the Town of Westfield and other land in Washington Township prepared by the Westfield - Washington Township Plan Commission and adopted in accordance with IC 36-7, General Assembly of Indiana, as is now or may hereafter be in effect.
- Material Recycling Facilities (MRFs) - A business or governmental unit that collects, separates, or otherwise processes solid waste secondary materials for which there is a generally accepted market for such products.

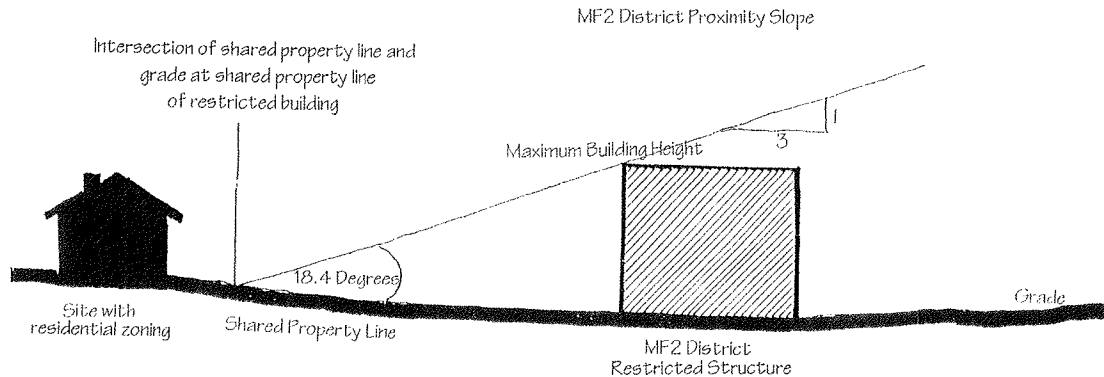
- Mobile Home - A mobile home is a vehicle which is used as a dwelling, is factory assembled, is transportable, is intended for year around occupancy, exceeds 35 feet in length, and is designed either for transportation on the public highways or for temporary or permanent placement on a foundation on a lot or mobile home park.
- Motel - A building or a detached building used as dwelling units containing bedroom, bathroom and closet space, and each unit having convenient access to a parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are devoted to the use of automobile transients.
- Natural Areas – An area possessing one or more of the following environmental characteristics: steep slopes; flood plain; soils classified as having high water tables; soils that are subject to erosion; land incapable of meeting percolation requirements; riparian corridors; mature stands of native vegetation; aquifer recharge and discharge areas; wetlands and wetland transition areas; and significant wildlife habitats (see *Riparian Corridor; Vegetation, Native; Wildlife Habitat, Significant*).
- Negative Space – the illusory space between the branching and foliage perceived as sky or background
- Non-conforming Use - The lawful use of land or a building or a portion thereof, which uses does not conform to the use regulations of the district in which it is located.
- Nonresidential Center, Large. Large nonresidential center means any building or combination of buildings with more than one occupant or business, in which the total gross square footage of floor area exceeds one hundred thousand (100,000) square feet of gross floor area. A large nonresidential center may include one or more outlots.
- Nonresidential Center, Medium. Medium nonresidential center means any building or combination of buildings with more than one occupant or a business, in which the total gross square footage of floor area is equal to or greater than twenty-five thousand (25,000) square feet but does not exceed one hundred (100,000) thousand square feet of gross floor area. A small nonresidential center may include one or more outlots.
- Nonresidential Center, Small. Small nonresidential center means any building or combination of buildings with more than one occupant or a business, in which the total gross square footage of floor area is less than twenty-five thousand (25,000) square feet. A small nonresidential center may include one or more outlots.

- Nonresidential Use, Individual. Individual nonresidential use means any building or combination of buildings with a single tenant or occupant. An individual nonresidential use shall not be considered a component of a large or small nonresidential center.
- Nursing Home - A facility licensed by the State Board of Health, which (1) provides nursing services on a continuing basis; (2) admits the majority of the occupants upon the advice of physicians as ill or infirm persons requiring nursing services; (3) provides for licensed physicians services or supervision; (4) maintains medical records. Such facility may also provide other and similar medical or health service provided that no occupant requires physical restraint within the facility. Examples of nursing home facilities that provide health services may include, if they comply with all the above criteria, nursing homes, convalescent homes, maternity homes, rest homes, homes for the aged, and the like.
- Octave Band - A narrow range of sound frequencies which classify sounds according to pitch. In the octave band analyzer the audible sound spectrum is divided into eight octave bands.
- Octave Band Analyzer - An electrical device used with the sound level meter that sorts a complex noise or sound into the various octave bands.
- Opaque. Opaque means that the material must not transmit light from an internal illumination source.
- Open/Green Space - Unimproved, commonly owned areas of a subdivision, multi-family, commercial or industrial development such as: parks, public pathways, railroad rights-of-way, water retention areas, screening buffers, etc. This term does not include road medians, swimming pools, tennis courts, golf courses, or any active recreational facilities.
- Outlot. Outlot means a lot of record in a subdivision, nonresidential center or planned unit development which is adjacent to a (public or private) street, roadway or frontage road and is intended for an additional and separate building or buildings within a development.
- Outside Sales Display, Permanent – Merchandise placed outside of commercial structures for sustained periods of time, involving the storage of merchandise items outside during hours that business is not being conducted. Permanent outside sales displays must receive site development plan approval prior to their construction, creation, or improvement.
- Outside Sales Display, Temporary – Merchandise placed outside of commercial structures only during business hours for the purpose of temporary sales or special sales events.

- Outside Storage – Materials or equipment placed outside of structures except: those associated with temporary outside sales displays; materials being used in new building construction; construction refuse to be disposed of within fifteen (15) days; or permanent outside sales display areas that have received site development plan approval.
- Overhead (Play) Element – Playground equipment that requires or promotes climbing or swinging by allowing hand over hand motion.
- Park - A public space and supporting facilities designed and used for a variety of recreational activities, a greater part of which take place outside of any structure.
- Parking Area, Public - An open area, other than a right-of-way, designed or used for parking more than 4 motor vehicles which complies with WC 16.04.120.
- Parking Lot Planting Areas – Areas within and adjacent to parking areas where trees, shrubs, and groundcovers are required to be planted in order to shade and improve the aesthetic qualities of parking facilities and to avoid the creation of large, unbroken expanses of pavement.
- Parking Space - An area designed or used for parking a motor vehicle which complies with WC 16.04.120.
- Passive Recreation – Any program or facility that provides opportunities for relaxation or enjoyment, which does not require physical exertion (i.e., wildlife viewing, photography, nature observation).
- Person - A corporation, firm, partnership, association, cooperative organization or any other group acting as a unit, as well as a natural person.
- Planned Business Development - A comprehensive development of land for serving the needs of business and the general public. Such development will take into consideration various physical requirements which are outlined by ordinance. Shopping centers are common examples of a Planned Business Development.
- Plat - A map or chart indicating the subdivision of land, intended to be filed for record.
- Play Equipment, Detached – Components of a play apparatus which are separated from each other and from a main play structure. Examples include sand diggers, swings, spring toys, and talk tubes.
- Play Panels – Movable or stationary play elements which provide a wide range of solo or social, and active or passive activities. Play panels may be attached to

play structures or free standing. Examples include tic-tac-toe, “character” pieces, games, and mazes.

- Preliminary Plat - Initial plans of single family residential developments as set forth in WC 16.04.220
- Premises. Premises means a lot, parcel, tract or plot of land together with the buildings and structures thereon.
- Primary Arterial - A Primary Arterial carries both local traffic and regional traffic, links various communities, and moves traffic to and from major traffic generators. Primary Arterials carry both intermediate and long distance traffic, utilizing traffic control devices to facilitate traffic flow within developed areas. Regulations of the number of curb cuts is often necessary. (120 feet right-of-way)
- Primary Green Space Areas – Unbuildable land including wetlands and land generally inundated with water (e.g., land under ponds, lakes, creeks); floodway and floodway fringe areas within the 100 year floodplain as identified on official FEMA maps; and land under permanent easement prohibiting future development. Primary green space areas do not include retention and detention areas.
- Private School - Private, preschool, primary, grade, high or preparatory school or academy.
- Private Street - A right-of-way not dedicated or accepted by the Town of Westfield for maintenance and repair responsibilities.
- Professional Office - Office of a member or members of a recognized profession as defined by the United States Bureau of the Census.
- Professional Office Center - An architectural and functional grouping of professional offices and appropriate associated and accessory uses which is the central feature of a site plan composed of building area, parking area, landscaped reservation and plantation, and other land features appropriate for its use as a professional office enterprise, designed to serve residential neighborhoods, and shall conform to the standards and requirements of this Chapter.
- Proximity Slope – A plane projected upward and outward from the property line at a specific angle or slope. The angle or slope is projected from the line formed by the intersection of the vertical plane extending up from the shared property line and the grade at the shared property line of the restricted building or structure (see MF2 example below).



- Prune – To remove dead or living parts from plants so as to increase fruit or flower production, to improve plant health, or to improve plant form (approved pruning methods are set forth in National Arborist Association Standards by the National Arborist Association).
- Public Sewer System - A sanitary sewer system owned and operated by a governmental unit or by a private business which provides service to residents and business and industry as opposed to an individually owned septic sewer system.
- Public Utility Installations - The erection, construction, alteration, or maintenance by public utilities, municipal departments, commissions, or common carriers of underground, surface or overhead gas, oil, electrical, steam, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith, reasonable necessary for the furnishing of adequate service by public utility or municipal departments, commissions, or common carriers, for the public health or safety or general welfare.
- Pylon Sign – A sign constructed upon the ground on a solid foundation with the sign surface resting directly on top of such foundation. Pylon signs are intended for business identification purposes for multiple entities.
- Recreational Facility - Active recreational structures such as: swimming pools, tennis courts, basketball courts, tennis courts, pavilions, picnic areas, etc.
- Recreational Vehicle - Any boat, boat trailer, trailer, camping trailer, travel trailer, pick-up, coach, motor home or other unit built or mounted on a vehicle or chassis, without permanent foundation, which may legally be driven or towed by a motor vehicle on a public right-of-way.
- Recycling Collector System - A commercial container utilized to collect one or more types of recyclable materials. Does not include semi-trailers or single containers utilized by a commercial establishment conducting another business and located in or adjacent to the commercial facility.

- Repair, Service or Refurbishing of Equipment and Parts - The conducting of repairs or renovation to small appliances, tools, furniture, electrical equipment such as saw sharpening and vacuum cleaner repair, TV or stereo or other similar activities.
- Retention Pond – Ponds that have a normal pool (water) level and a designated capacity for additional temporary flood water storage during a storm event. They therefore have water in them all of the time.
- Right-of-way - legally established property designated for transportation uses.
- Ringelmann Number - The number of the area on the Ringelmann Chart that most nearly matches the light-obscuring capacity of smoke. The Ringelmann Chart is described in the U.S. Bureau of Mines information Circular 6888, on which are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density of Ringelmann No. 1 shall be considered no smoke, or Ringelmann 0.
- Riparian Corridor – The strip of land lying along the sides of natural or man-made bodies of water. Such land is often located within floodplains and covered by dense vegetation. The term “riparian corridor” is usually associated with land adjacent to river and stream corridors, but it is also applicable to land adjacent to lakes and ponds.
- Screen – Plants, berms, fences, walls, or any appropriate combination thereof used to visually obscure aesthetically unpleasing features of development or to reduce noise pollution.
- Secondary Arterial - Secondary Arterials are intended to collect and distribute traffic to Primary Arterials. Secondary Arterials provide access to specific traffic designations, allow easy movement from one neighborhood to another, and provide cross-town traffic movement. Secondary Arterials serve small traffic generating sources, such as community oriented commercial areas, schools, major recreation areas, and other similar land uses. (90 feet right-of-way)
- Secondary Green Space Areas – Land required to be designated as green space area by zoning regulations that would otherwise be buildable under local, state, and federal regulations. Secondary green space areas may include parks, public pathways, railroad rights-of-way, utility easements (if accessible and safe), water detention areas, and screening buffers. Secondary green space areas do not include retention areas, parking areas, road rights-of-way, or active recreational facilities/areas.
- Shield. Shield means any attachment, which interrupts and blocks the path of light emitted from a luminaire or fixture.

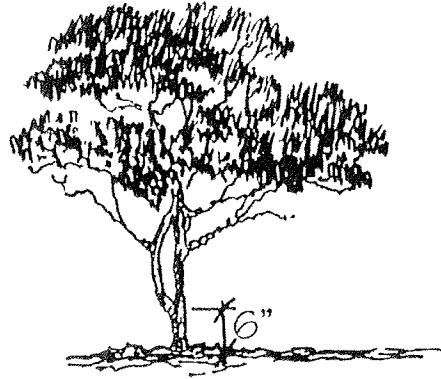
- Shielded, fully. Fully shielded means that a bulb is not visible within a shielded fixture and no light is emitted from the top or sides of the fixture. All light emitted from a fixture is projected downward below a horizontal plane running through the lowest point of a fixture where light is emitted.
- Shopping Center - A grouping of retail stores, designed to serve neighborhoods and/or communities which conforms to the requirements of this ordinance
- Shopping Center-Gross Leaseable Area - Gross leaseable area of a shopping center shall mean the square footage of that space within the building or buildings comprising the shopping center which is primarily designed for leasing to or occupancy by tenants or other occupants who trade with the public, but shall not include public areas, administrative area, entrances, general utility area, corridors and like common area even though a portion of such areas may be utilized or leased on a temporary or permanent basis.
- Shrub – A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground.
- Shrubs, Dense – shrubs possessing extremely well developed branching systems, heavily clothed with foliage, with minimal negative space (see *Negative Space*).
- Sign. Sign means any display or device placed on a property in any fashion which is designed, intended, or used to convey any identification, message or information other than an address number.
- Sign area. Sign area means the entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction, or symbolism of the sign.
- Sign awning. Awning sign means any advertising or display located on any non-rigid material that extends from the exterior wall of a building and is supported by or attached to a frame.
- Sign, center. Center sign means advertising used to identify a nonresidential center, which may include individual tenant advertising.
- Sign, construction. Construction sign means a sign directing attention to construction upon a property where the sign is displayed, and bearing the name, address, or other identifier of the contractor, subcontractor, architect and/or development team.

- Sign, direction. Direction sign means a sign intending to direct the safe flow of vehicular and pedestrian traffic and includes "enter," "exit," and "arrow" signs.
- Sign entrance. Entrance sign means those signs located at nonresidential centers which identify points of ingress and egress into a nonresidential center.
- Sign, flashing. Flashing sign means any illuminated sign which exhibits changing light or color effects.
- Sign, illuminated. Illuminated sign means a sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper, or which is illuminated by reflectors.
- Sign, lawful nonconforming. Lawful nonconforming sign means any sign lawfully existing at the time of the enactment of any provision of this zoning ordinance, or any amendment thereto, with which the sign does not comply.
- Sign, monument. Monument sign means a sign which is either supported by a base with an aggregate width of at least seventy-five (75) percent of the total horizontal width of the sign and is in excess of six (6) feet in height.
- Sign, off-premises. Off-premises sign means a sign directing attention to a specific business, product, service, entertainment, or any other activity offered, sold, or conducted elsewhere than upon the lot where the sign is displayed.
- Sign, pole. Pole sign means a sign which is supported by one or more poles, posts, or braces upon the ground, in excess of six (6) feet in height, not attached to or supported by any building.
- Sign, projecting. Projecting sign means any sign attached to a building or wall and extending laterally more than eighteen (18) inches from the face of a wall.
- Sign, real estate. Real estate sign means a sign announcing the sale, rental, or lease of real property on the lot or within the development site on which the sign is displayed, and identifying the owner, realty agent, telephone numbers or "open house" information.
- Sign, residential complex or subdivision. Residential complex or subdivision sign means a sign containing the name of a residential complex or subdivision, with or without its accompanying address.
- Sign, sandwich board. Sandwich board sign means a portable sign for display in front of a business for the specific use of advertising that business.
- Sign, Under Canopy: Small sign placed under a canopy or roof overhang to direct patron traffic to the store entrance.

- Sign, wall. Wall sign means a sign attached to and/or integral with an exterior wall or window surface of a building, the face of which is parallel to the surface.
- Site Development Plan - A drawing, including a legal description of property involved, which shows the existing and proposed location and size of the following: all buildings, structures and yards; location and dimension of building lines and easements; widths and lengths of all entrances and exits to and from said property; location of all adjacent and adjoining streets, service facilities, and other improvements such as planting areas (see Landscaping Plan).
- Sliding (Play) Element – Playground equipment that allows movement from a higher to a lower level, usually along a smooth surface.
- Smoke Unit - The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.
- Special Exceptions - Uses publicly or municipally operated and those used traditionally affected with a public interest and those uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property and public facilities.
- Story - That portion of a building included between the surface of any floor and the surface of any floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall be the story.
- Story, Half - That portion of a building under a sloping gable, hip or gambrel roof, the wall plates on at least two opposite exterior walls of which are not more than three feet above the floor level of such half-story.
- Street - For the purposes of the Westfield - Washington Township Comprehensive Zoning Ordinance, the word “street” means a right-of-way designated for use by motor vehicles.
- Structural Alternation - Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any other substantial change in the exterior walls or the roof.
- Structure - Anything constructed or erected which requires location on the ground or attachment of something having location on the ground.

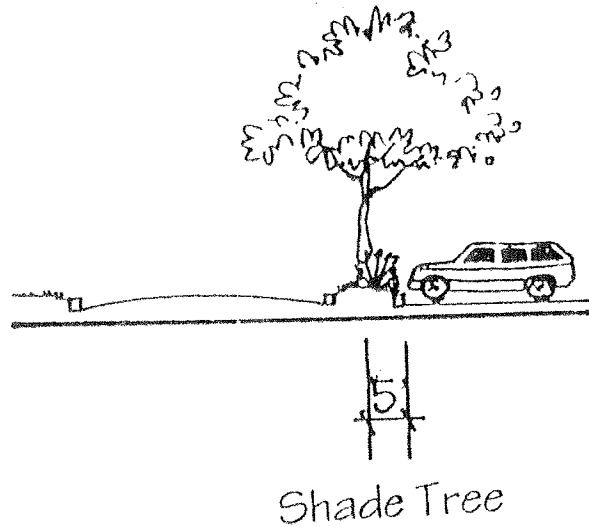
- Subdivider - Any person engaged in developing or improving a tract of land which complies with the definition of a subdivision as defined in this Ordinance.
- Subdivision - A division of land into two or more parcels, sites or lots any one of which is less than five acres in area for the purpose of immediate or future transfer or ownership. The improvement of one or more parcels, sites or lots for residential, commercial or industrial structures involving the allocation of land for streets or easements for use of occupants or leaseholders and the extension and maintenance of public sewers, water or drainage shall be considered as a subdivision, provided, however, the division of land into parcels, sites or lots of more than five acres not involving any new streets or easements of access or the sale or exchange of any parcel, site or lot between adjoining property owners where such sale is not for the declared purpose of additional building sites shall not be considered, for the purpose of this ordinance, as a subdivision. Provide, further, that the division of land of not less than three acres along an existing road or street for the purpose of erecting a single family residence that does not require public sewers or water shall not be considered a subdivision.
- Swimming Pool, Private - A swimming pool used only by the owners of the pool and friends as an accessory use at a private residence.
- Teaching - The providing of tutoring assistance to individual students as well as the offering of private lessons in music, art or other areas of the fine arts.
- Temporary. Temporary means a transitory use or structure which maybe established for a period of not more than 10 consecutive calendar days and not to exceed a period of time totaling 30 days within a calendar year.
- Thoroughfare - Public right-of-way
- Thoroughfare Plan - The Hamilton County Thoroughfare Plan adopted by reference by the Town of Westfield which sets forth the location, classification, and other information pertaining to existing and proposed streets in Washington Township. This Plan illustrates the legally established goals and objectives of the Town of Westfield as they pertain to public rights-of-way.
- Topped – A method of pruning a tree whereby the vertical leader stems of the tree are removed.
- Tourist Home - A building in which one but not more than five rooms are used to provide or offer overnight accommodations to transient guest for compensation.
- Town - The Town of Westfield, Indiana.
- Township - Washington Township, Hamilton County, Indiana.

- Tree – A large, woody plant having one or several self-supporting stems or trunks and numerous branches.
- Tree, Ornamental – A small to medium sized tree, growing approximately 15 feet to 40 feet in height at maturity, planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.



Ornamental Tree

- Tree Protection – Measures taken to protect existing trees from damage or loss during and after construction, such as installing temporary fencing, maintaining existing grades within the dripline, and the use of tree wells (see *Tree Protection Area*).
- Tree Protection Area – The area within the dripline of trees identified for preservation (see *Dripline*).
- Tree, Shade – A large tree growing to over forty (40) feet in height at maturity, usually deciduous and planted to provide canopy cover shade (see *Deciduous*).



- Tree Specimen, Significant – A tree noted for some desirable characteristic, such as flower, fruit, size, value to wildlife, uniqueness, or position in the landscape.
- Tree, Street – A tree planted along the street right-of-way.
- Tree Well – A retaining wall or structure that preserves the existing grade and growing conditions within the dripline of existing trees (see *Dripline*).
- Trees, Dense – trees possessing extremely well developed branching systems, heavily clothed with foliage, with minimal negative space (see *Negative Space*).
- Typing and Other Office Services - Office services such as report preparation, addressing envelopes, preparation of billings and other related office type services.
- Upland Buffer – Land located within a riparian corridor (see *Riparian Corridor*).
- Use - The employment or occupation of a building, structure or land for a person's service, benefit or enjoyment.
- Variance - A modification of the specific requirements of this Ordinance granted by the Board in accordance with the terms of this Ordinance for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and district.
- Vegetation, Native – Any plant species that is indigenous to all or part of Hamilton County, Indiana. Native vegetation does not include plant species that have been introduced by man.

- Vegetative Screen – A visual barrier of vegetation with dense foliage used to block aesthetically intrusive land uses from view (see *Screen*).
- Vibration - Oscillatory motion transmitted through the ground.
- Vines – A woody plant that has a spreading pattern of growth typically used on the ground, on walls, and on trellises.
- Vision Clearance on Corner Lots - A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of three and 12 feet above the established street grade. The street grade is measured at the intersection of the center lines of the intersecting street pavements, and the triangular space is determined by a diagonal line connecting two points measured 15 feet along each of the street property lines equidistant from the intersection of the property lines of the property lines extended, at the corner of the lot.
- Wildlife Habitat, Significant – A geographic area which provides food, shelter, nesting sites, territory, and protection for important animal, insect, and/or plant species.
- Wireless Communication Service Facilities - Antennas or antenna support structures for private or commercial mobile radio communications, broadcast radio or television; and associated equipment buildings, broadcasting studios, or radio or television business offices.
- Yard - A space on the same lot with a principal building, open, unoccupied and unobstructed by structures, except as otherwise provided by this ordinance.
- Yard, Front - A yard extending across the full width of the lot unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar structures, the depth of which is the least distance between the front lot line and the building line
- Yard, Rear - A yard extending across the full width of the lot between the rear of the principal building and the rear lot line unoccupied other than by accessory buildings which do not occupy more than 30 percent of the required space, and steps, walks, terraces, driveways, lamp posts and similar structures, the depth of which is the least distance between the rear lot line and the rear of such principal building.
- Yard, Side - A yard between the principal building and the side lot line, extending from the front yard or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally at 90 with the side lot line, from the nearest part of the principal building, except in cases where irregular or pie shaped lots are located, then the width of the required

side yard shall be an average of the width of the area between the side lot line and the principal building measured horizontally at 90 with the side lot line.

- Yard Width and Depth - The shortest horizontal distance from a lot line to the main building.

WC 16.04.220 Procedures

A subdivider desiring approval of a plat of a subdivision of any property located in Washington Township, Hamilton County, Indiana shall submit a written application to the Westfield - Washington Township Plan Commission. Such application shall be accompanied by the information, requirements and plans set forth in this section.

In order to make the most of opportunities related to developing subdivisions and to conserve time, effort and expense, subdividers shall be required to consult with the Building Commissioner and other public officials at monthly Technical Advisory Committee meetings prior to their request for approval of primary plats from the Plan Commission.

The subdivider should also request a National Cooperative Soil Survey Map with interpretation and limitations for the intended usage; request conservation planning assistance from Hamilton County Soil and Water Conservation District; check with Hamilton County Surveyor concerning legal drains on tract and adjoining properties; check with the Indiana Department of Natural Resources, Division of Water, concerning floodplains on tract or adjoining properties; and check with the Hamilton County Highway Department or the Westfield Utilities Department concerning road construction, roadside ditch specifications, culverts, and private drain tile on tract and adjoining properties.

Step 1. Preliminary Plat for Subdivision -

A. The owner or subdivider shall provide a preliminary plan of the subdivision which shall show the manner in which the proposed subdivision is coordinated with the master plan and its provisions; specifically, with relation to the requirements of the thoroughfare plan; school and recreational sites; shopping centers; community facilities; sanitation; water supply and drainage; and other developments existing and proposed, in the vicinity; provided, however, that no land shall be subdivided for residential use unless adequate access to the land over improved streets exists or will be provided by the subdivider, or if such land is considered by the Plan Commission to be unsuitable for such use by reason of flooding or improper drainage, objectionable earth and rock formation, topography, or any other feature harmful to the health and safety of possible residents and the community as a whole.

B. The subdivider shall provide the following:

1. Location map (which may be prepared by indicating the data by notations on available maps) showing:
 - Subdivision name and location
 - Any street related to the subdivision
 - Existing elementary and high schools, parks and playgrounds, available for serving the area proposed to be subdivided, and other community facilities

- Title, scale, north point and date
 - Land use adjacent to proposed subdivision and owners names
2. A preliminary plat prepared by a land surveyor or land planner showing:
- Proposed name of the subdivision
 - Names and addresses of the owner, owners, land surveyor or land planner
 - Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
 - Easements - locations, widths and purposes
 - Statement concerning the location and approximate size or capacity of utilities to be installed
 - Layout of lots, showing dimensions and numbers and square footage
 - Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes
 - Contours at vertical intervals of two feet if the general slope of the site is less than 10 percent and at vertical intervals of five feet if the general slope is greater than 10 percent
 - Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners
 - Building setback lines
 - Legend and notes
 - Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage
 - Other features or conditions which would affect the subdivision favorable or adversely
 - Scale, north point and date - preliminary plat of the subdivision shall be drawn to a scale of 50 feet to one inch, or 100 feet to one inch; provided, however, that if the resulting drawing would be over 36 inches in shortest dimension, a scale as recommended by the commission may be used
 - A national cooperative soil survey showing the soil limitations based upon the intended usage of the development land
 - A statement from the County and State Highway Departments or the Westfield Utilities Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary
 - If private sewage systems, a statement from the County Health Officer whether private septic system can be used on this property
 - If legal drain is involved, a statement from the County Drainage Board concerning easements, right-of-way, permits, etc.

- If floodplain is involved, a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.
3. A description of the protective covenants or private restrictions to be incorporated in the plat of the subdivision, or become covenants in the deeds for lots. Representations, oral or written, and all covenants made to the Plan Commission may not be revised, altered, or changed in any way prior to or after filing of the final plat without approval of the Plan Commission. These become conditions in the approval of the subdivision and noncompliance of these conditions will result in denial or revocation of subdivision approval.
- C. The application for preliminary and final plat for a subdivision shall be accompanied by the applicable fees as contained in Figure 1 in this Chapter.

Step 2. Preliminary Plat Approval -

- A. After an application for approval of a plat of a subdivision, together with two copies of all maps and data, has been filed, the Commission shall review the preliminary plat and accept the application and plat, or return them to the subdivider with suggestions for changes.
- B. After the Commission accepts the filing of the preliminary plat, it may conduct a public hearing, notify the applicant in writing, and notify by general publication or otherwise, any person or governmental unit having probable interest in the proposed plat. The cost of publication of the notice of hearing shall be met by the applicant.
- C. Within a reasonable time which shall not exceed 60 days following the hearing on the preliminary plat, the Commission will notify the applicant in writing that it has approved the preliminary plat and is ready to receive the final plat, or will advise the applicant of any further changes in the preliminary plat which are required or should have consideration before approval will be given. Approval of preliminary plan does not constitute approval of the entire project.

Step 3. Final Plat - The final plat shall meet the following specifications:

- A. The final plat may include all or only a part of the preliminary plat which has received approval.
- B. The original drawing of a final plat of a subdivision shall be drawn to a scale of 50 feet to one inch. A scale of 100 feet to one inch may be used if necessary to make the final drawing no larger than 18 by 23 inches in order that the plat may be inserted in the plat books in the recorder's office without the necessity of folding said plat. Three black or blue line prints shall be submitted with the original final plat, or, in order to conform to modern drafting and reproduction methods, three black line prints and a reproducible print shall be submitted.

C. The following basic information shall be shown:

- Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one foot in 5000 feet.
- Accurate distances and direction to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plan.
- Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
- Accurate metes and bounds description of the boundary.
- Source of title to the land to be subdivided as shown by the books of the county recorder of Hamilton County.
- Street names.
- Complete curve notes for all curves included in the plan.
- Street lines with accurate dimensions in feet and hundredths of feet, with angles to street and lot lines.
- Lot numbers and dimensions.
- Accurate locations or easements for utilities and any limitations on such easements.
- Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
- Building setback lines and dimensions.
- Location, type, material and size of all monuments and lot markers.
- Plans and specifications for the improvements required in this Chapter.
- Restrictions of all types which will run with the land and become covenants in the deeds for lots.
- Name of the subdivision and the method of designating the subdivision name at all exits or entrances.
- Name and address of the owner and the subdivider
- North point, scale and date
- Certification by a land surveyor or engineer
- Rendering of all permanent signage for all entrances to the subdivision.
- Certification of dedication of streets and other public property
- Certificate for approval by the Commission
- A performance bond which will:
 - a) Run to the Westfield Town Council;
 - b) Be in an amount determined by the Commission to be sufficient in amount to complete the improvements and installations in compliance with this Ordinance. A statement of the total estimated amount sufficient to complete all improvements and installations shall be furnished by the subdivider and attest to by a land surveyor or a professional engineer registered by the Indiana State Board of Registration for Professional Engineers and Land Surveyors;
 - c) Be with surety satisfactory to the Commission, and;

d) Specify the time for the completion of the improvements and installations.

This bond shall not be released until a certificate signed by a registered professional engineer or land surveyor, as the case may be, who has been approved by the Town Council, shall have been filed stating that said engineer has inspected the improvements and installations guaranteed by the bond during their construction and installation and that they have been made or installed in accordance with approved specifications.

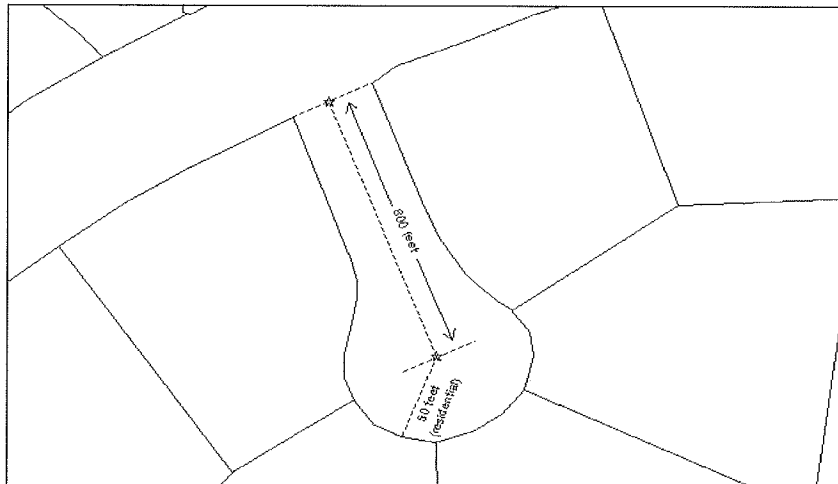
- A road and street maintenance bond which will run to the County Commissioner for subdivisions which are located outside incorporated town limits, or will run to the Town Council for subdivisions within a town limits. Such maintenance bond shall be for a period of three years after final inspection by the County Commissioners or the Town and will be in such amount so as to insure quality of workmanship and guarantee of repairs due to normal usage of streets.

The Commission shall affix the Commission's seal upon the approval plat, together with the certifying signatures of its president and secretary. If it is disapproved, it shall set forth the reasons for such disapproval in its own records and provide the applicant with a copy.

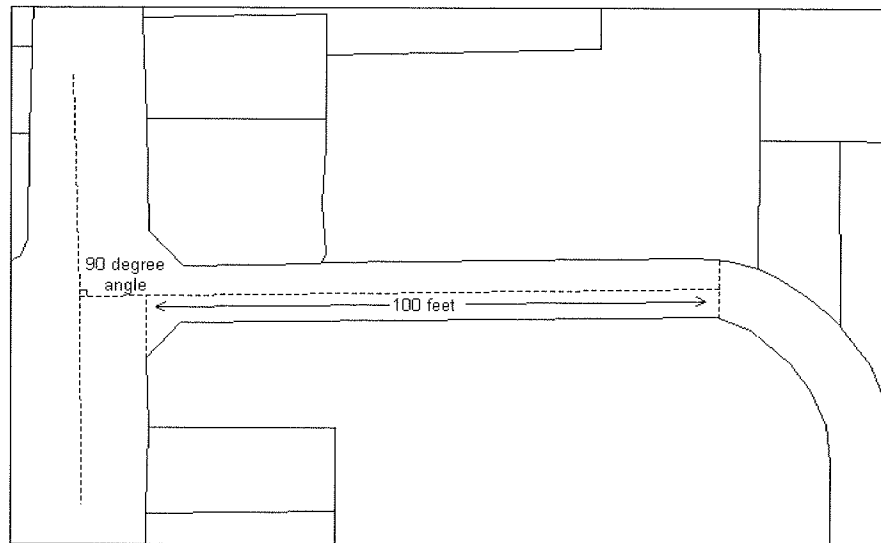
D. Recording of Final Plat - The Building Commissioner shall retain such final plat, so approved, and shall cause such plat to be recorded in the office of the Hamilton County Recorder only upon satisfactory completion by the subdivider of all administrative details required by this Ordinance. Said final plat, after recording, shall remain on file in the office of the Clerk-Treasurer. Copies of the final plat, as recorded by the Building Commissioner, shall be delivered to the subdivider.

WC 16.04.230 Principals and Standards of Design

1. General - The subdivision plan shall conform to the principles and standards which are contained in this section or as may be further supplemented by "Construction Standards" adopted by the Westfield Town Council and administered by the Westfield Utilities Department.
2. Streets -
 - a) The street and alley layout shall provide access to all lots and parcels of land within the subdivision, and where streets cross other streets, jogs shall not be created.
 - b) Proposed streets shall be adjusted to the contour of the land so as to produce useable lots and streets of reasonable gradient.
 - c) Certain proposed streets, where appropriate, shall be extended to the boundary line of the tract to be subdivided so as to provide for normal circulation of traffic within the vicinity.
 - d) Wherever there exists a dedicated or platted portion of a street or alley adjacent to the proposed subdivision, the remainder of the street or alley to the prescribed width shall be platted within the proposed subdivision.
 - e) Widths of streets shall conform to the standards specified in the Hamilton County Thoroughfare Plan and the Westfield Thoroughfare Plan.
 - f) The maximum length of cul-de-sacs shall be six hundred (600) feet measured along the centerline from the intersection at origin to the center of the circle. Each cul-de-sac shall have a terminus of nearly circular shape with a minimum right-of-way diameter of one hundred (100) feet for streets abutting single family residential districts and one hundred twenty (120) feet for streets abutting all other districts.

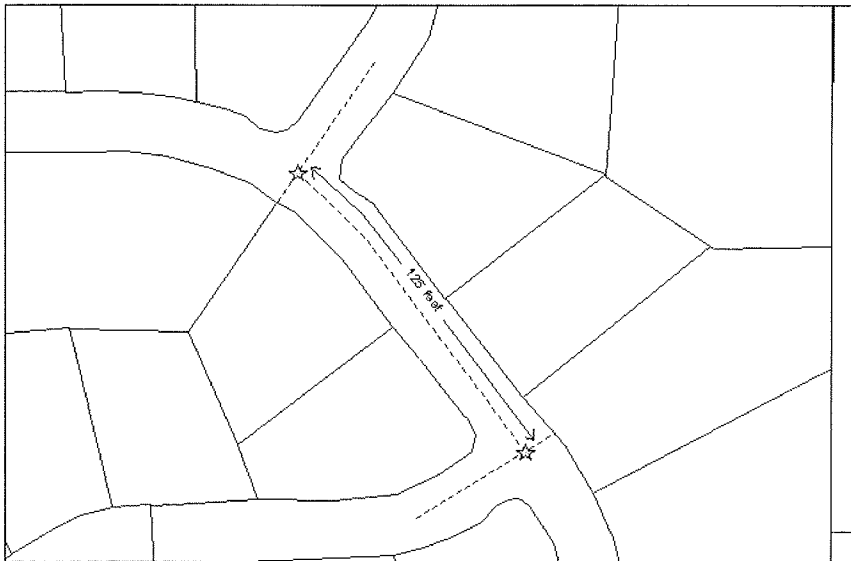


- g) Alleys shall be discouraged in residential districts but may be included in commercial and industrial areas where needed for loading, unloading, or access purposes. Alleys shall be at least 20 feet in width.
- h) All streets should intersect at ninety (90) degree angles for a minimum distance of one hundred (100) feet measured from the intersection of right-of-way lines. In no instance shall they intersect at less than eighty (80) degree angles onto Expressways, Primary Arterials, Secondary Arterials, or Collectors; or less than seventy (70) degree angles onto Local Roads or Streets.



- i) At intersections of streets the property line corners shall be rounded by arcs with radii of not less than 15 feet, or by chords of such arcs.
- j) If the smaller angle of intersection of two streets is less than 60 degrees, the radius of the arc at the intersection of property lines shall be increased as deemed advisable by the Plan Commission.
- k) Intersections of more than two streets at one point shall not be permitted.

- l) Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.



- m) Where parkways or special types of streets are involved the Plan Commission may apply special standards to be followed in their design.
- n) When subdividing land, consideration shall be given to all natural features, such as existing stands of trees, streams and creeks, historic locations, or similar conditions which, if preserved, will add attractiveness and value to the community.
- o) Only one street, driveway or point of vehicle access shall be permitted from a subdivision onto a primary arterial, secondary arterial, or collector. Two or more streets, driveways, or points of vehicle access may be permitted by the Plan Commission only if they are definitely needed to improve the safety and traffic circulation in the area, or are required because of the large size of a subdivision. Subdivisions shall not be designed to permit direct access by a driveway to any primary arterial, secondary arterial, or collector.
- p) A temporarily dead-ended street shall be permitted in any case in which a street is proposed to be and should logically be extended but is not yet constructed. An adequate easement for a turn-around shall be provided for any such temporary dead-end street which extends 200 feet or more in length. Such easement shall be automatically vacated to abutting property owners when said dead-ended street is legally extended.

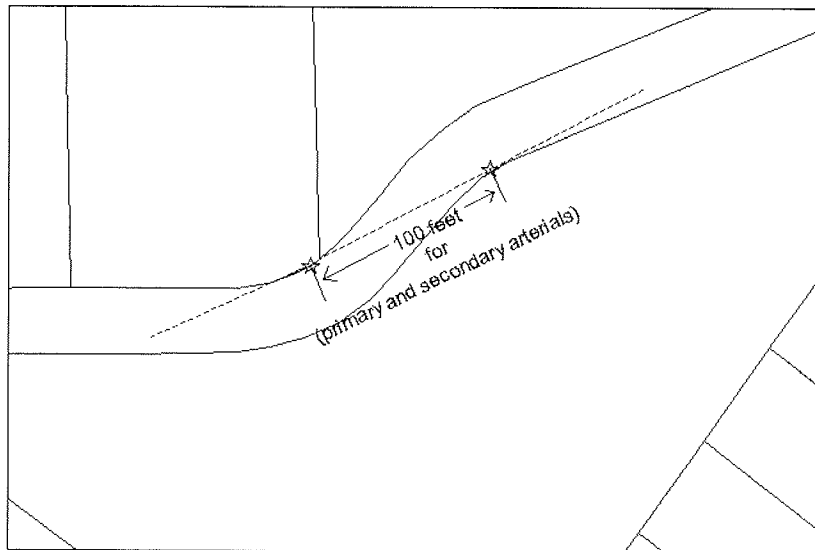
q) Horizontal visibility on curved streets and vertical visibility on all streets must be maintained along the center lines as follows:

- | | |
|--|----------|
| 1) Primary Arterials and Secondary Arterials | 500 feet |
| 2) Collectors | 300 feet |
| 3) Local Roads or Streets | 150 feet |

r) Curvature measured along the center line shall have a minimum radius as follows:

- | | |
|--|----------|
| 1) Primary Arterials and Secondary Arterials | 500 feet |
| 2) Collectors | 300 feet |
| 3) Local Roads or Streets | 150 feet |

s) Between reversed curves on primary arterials and secondary arterials there shall be a tangent of not less than 100 feet; on collectors and local roads and streets such tangent shall be not less than 40 feet.



t) Maximum grades for streets shall be as follows:

- 1) Primary arterials and secondary arterials; not greater than six percent (6%).
- 2) Collectors and local roads and streets, not greater than ten percent (10%).

u) The minimum grade of any street gutter shall not be less than three-tenths percent (0.3%).

v) No fence, wall, hedge, tree, or shrub planting which obstructs sight lines and elevations between three (3) and twelve (12) feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the right-of-way lines and a line connecting points:

- Forty (40) feet from intersections of Collectors or Local Roads or Street,

- Seventy-five (75) feet from intersections of Expressways, Primary Arterials, or Secondary Arterials, and
- Ten (10) feet from intersections of driveways or alleys.

In the case of rounded property corners, the above distances shall be measured from the point at which the right-of-way lines would intersect if they were not to have been rounded at the corner.

w) No driveway shall be located within 75 feet of the intersection of two street lines.

x) Minimum Right-of-way Width- Minimum right-of-way widths that are required to be dedicated to Hamilton County or the Town of Westfield are established as follows:

Expressways-	(vary)
Primary Arterials-	120 feet
Secondary Arterials-	90 feet
Collectors-	80 feet
Local Roads and Streets-	50 feet

y) At the intersection of any proposed Local Road or Street with and Expressway, Primary Arterial, Secondary Arterial, or Collector; acceleration lanes, deceleration lanes, passing blisters, or left turn lanes may be required to be constructed.

3. Blocks -

- Blocks should not exceed 1250 feet in length.
- Blocks shall be of sufficient width to permit two tiers of appropriate depth, except where an interior street parallels an expressway, primary arterial, or secondary arterial.

4. Lots -

- All lots shall abut on a street.
- Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets, some variation from this rule is permissible, but pointed or very irregular lots should be avoided.
- Corner residential lots shall be of sufficient width to permit appropriate setbacks from both streets.

5. Easements - Easements for utilities shall be provided. Such easements shall have a minimum width of 20 feet, and where located along lot lines, one-half of the width shall be taken from each lot. Before determining the location of easements the plan shall be discussed with the local public utility companies to assure their proper placing and the installation of such services.

6. Building Setback Lines – Building Line Exception – In any subdivision a variance of ten percent in the minimum building line width may be permitted as long as the square foot area requirement is not lessened below the established minimums; provided further, this exception may only be applicable to ten percent of the lots in the proposed subdivision. In calculating the number of lots eligible, any fraction shall be considered as the next highest whole number.

7. Green Belt Space – All subdivisions of more than five (5) acres shall set aside a minimum gross area for the purpose of development into green belt space:

SF1	5% of gross area
SF2	8% of gross area
SF3	12% of gross area
SF4	15% of gross area

A public way, crosswalk or easement not less than 15 feet in width shall be provided for access to the required green belt space.

Green belt space, where applicable, shall be placed adjacent to or connected to existing or proposed green belt space located on adjoining property.

WC 16.04.240 Standards of Improvement

The final plat of the subdivision shall conform to the following standards of improvement:

A. Monuments and Markers -

1. Shall be placed so that the center of the pipe or marked point shall coincide exactly with the intersection of lines to be marked, and shall be set so that the top of the monument or marker is level with the finished grade.
2. Monuments shall be set:
 - At the intersection of lines forming angles in the boundary of the subdivision.
 - At least two monuments shall be set on each side of a straight section of street, such monuments shall be on lot corners near each end of the street.
 - At least two monuments shall be set on any straight line over 400 feet in length. Such monuments shall be on lot corners near each end of the line.
3. Markers shall be set:
 - At the beginning and ending of all curves along street property lines.
 - At all points where lot lines intersect curves, either front or rear.
 - At all angles in property lines of lots.
 - At all other lot corners not established by a monument.
4. Monuments shall be of stone, pre-cast concrete, or concrete poured in place with minimum dimensions of four inches by four inches by thirty inches, set vertically in place. They shall be marked on top with an iron or copper dowel set flush with the top of the monument or deeply scored on top with a cross. Markers shall consist of iron pipes or steel bars at least 30 inches long, and not less than 5/8 inch in diameter.

B. Streets -

1. Streets and alleys should be completed as shown on approved plans, profiles and cross-sections provided by the subdivider, and prepared by a qualified engineer or surveyor.
2. Streets shall be graded, surfaced and improved to the dimensions required by the cross-sections and the work shall be performed in the manner prescribed in "Standard Specifications" of the Indiana Department of Transportation.

3. Prior to placing street surfaces, adequate subsurface drainage for streets shall be provided by the subdivider. Subsurface drainage pipe, when required, shall be as described by the current edition of INDOT standard specifications and as approved by the Plan Commission. Upon completion of street improvements, plans and profiles as built shall be filed with the Plan Commission and the proper governing body of the Town of Westfield or Hamilton County.
4. All traffic control devices shall comply with guidelines and requirements of the current edition of the Indiana Manual on Uniform Traffic Control Devices.
5. Before any bond covering a street installation is released, the Plan Commission, Town Council, or Building Commissioner may request that core borings (asphalt or concrete) of the street be provided to the Westfield Utilities Department or the Hamilton County Highway Department, or their designated representative(s), at the subdivider's expense, for thickness determination.
6. Prior to the acceptance of asphalt streets, the subdivider shall employ and pay for the services of an independent testing laboratory to take cores at selected locations and perform Marshall stability, flow and density test, and perce of compaction determination on completed asphalt work.
7. Prior to acceptance of concrete street, the subdivider must provide satisfactory test results from an independent testing laboratory to the Westfield Utilities Department or the Hamilton County Highway Department.
8. A developer may request permission from the Plan Commission to delay the installation of the one (1) inch surface layer of asphalt until the binder layer of asphalt has had sufficient time to prove its durability under the stress of heavy construction traffic, but this delay shall not exceed one year. The developer shall be required to submit a separate performance bond to cover the cost of the installation of the one (1) inch surface layer of asphalt.

Sewers - WC 16.04.240 Standards of Improvement

C.

- 1) The subdivider shall provide the subdivision with a complete sanitary sewer system, which shall connect with a sanitary sewer outlet approved by the Health Officer. The subdivider shall be responsible for providing sewer extensions from any subdivision(s) located in SF 1, ~~SF-A~~ SF 2 and SF 3 districts to a main sewer connection point as may be established by written agreement between the subdivider and the Town Council.

When an approved outlet is not available, one of the following methods of sewage disposal shall be used:

- A complete sanitary sewer system to convey the sewage to a treatment plant, to be provided by the subdivider in accordance with minimum requirements of the environmental protection agency.
 - A private sewage disposal system on individual lots consisting of a septic tank and absorption field or other approved sewage disposal system, when laid out in accordance with minimum standards of the Health Officer.
- 2) The plans for the installation of a sanitary sewer system shall be provided by the subdivider upon the completion of the sanitary sewer and water installations and streets, the plans for such systems as built shall be filed with the Plan Commission.
- 3) In sections WC 16.04.240 C - Sewers and WC 16.04.240 D - Water, the phrase "The subdivider shall provide" shall be interpreted to mean that the subdivider shall install the facility referred to, or whenever a private sewage disposal system or an individual system or an individual water supply is to be provided, that the subdivider shall require, as a condition of the sale of each lot or parcel in the subdivision, that the facilities referred to in these sections shall be installed by the developer of the lots in accordance with these regulations.
- D. Water - The subdivider shall provide the subdivision with a complete water main supply system, which shall be connected to a municipal or a community water supply system approved by the Health Officer, except, that when such municipal or community water supply is not available, the subdivider shall provide an individual water supply on each lot in the subdivision in accordance with minimum requirements of the Health Officer.
- E. Storm Drainage -
- 1) The subdivider shall provide the subdivision with an adequate storm water sewer system whenever curb and gutter is installed and whenever the evidence available to the Commission indicates that the natural surface drainage is inadequate. When the surface drainage is adequate, easements for such surface drainage shall be provided. When curb and gutter are not required for lots located on County, Town or State Highways, a shallow swale with its low point at least three inches below the elevation of the sub-grade of the pavement may be permitted; provided, that where existing natural drainage ways offer a suitable means of storm drainage, the street right-of-way may be widened to accommodate them, or they may be located in a parkway or easement.
- 2) All ditches for drainage must be graded and seeded.
- F. Curbs and Gutters - Wherever a proposed subdivision lies adjacent to, or in proximity of, other developed areas currently provided with curbs and gutters or

that have more than three (3) lots per acre of land platted into lots, the subdivider shall provide curbs and gutters on each side of the street surface in the proposed subdivision.

G. Sidewalks, Pedestrian Paths, Jogging Paths, and Bicycle Paths -

- 1) The Plan Commission shall require sidewalks to be installed on each side of the street in all subdivisions.
- 2) Where a proposed subdivision abuts an existing street right-of-way, the Plan Commission shall require the developer to construct sidewalks parallel to the existing street.
- 3) The Plan Commission may require developers to construct off-site sidewalks adjacent to the developers' project to respond to infrastructure demands created by said project.
- 4) When a proposed subdivision lies between or adjacent to existing subdivisions which have been provided with sidewalks, the Plan Commission shall require connecting sidewalks (which are extensions of the existing sidewalks) to be constructed.
- 5) If a sidewalk, pedestrian path, jogging path and/or bicycle way is to be installed, a plan shall be submitted to the Plan Commission with the Primary Plat and Secondary Plat drawings.
- 6) Curb ramps for handicapped accessibility shall be provided at all intersections of streets, alleys, and drives.
- 7) When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a street intersection within or adjacent to a subdivision (where one of the streets is a primary arterial or a secondary arterial), necessary safety devices, such as painted crosswalks, signs, or other traffic control devices shall be installed at the developer's expense.
- 8) When sidewalks, pedestrian paths, jogging paths, and/or bicycle ways are to be installed, they shall be constructed in accordance with the Hamilton County Alternative Transportation Plan and the Construction Standards for the Town of Westfield, which have both been adopted by the Town of Westfield.

H. Street Signs - The subdivider shall provide the subdivision with street signs which shall meet the standards of the Town of Westfield and/or the standards of the Hamilton County Highway Department at the intersection of all streets.

Such street signs shall be installed in all subdivision sections which have received Secondary Plat approval prior to the issuance of any Building Permits in such subdivision sections.

- I. Street Lights - The subdivider shall provide the subdivision with street lights, the type of which will be determined by the Plan Commission, at street intersections, and at such other locations as the Plan Commission may direct.
- J. Fire Hydrants - The subdivider shall provide the subdivision with fire hydrants. The types of hydrants and location of hydrants shall be determined by the Westfield - Washington Township Fire Department and approved by Plan Commission.
- K. Landscaping - Suitable landscaping plan shall be developed for review and approval by the Plan Commission including procedures to be utilized for maintaining the landscaped area. (see WC 16.04.100 4 - Landscaping)
- L. Construction Standards - Construction standards for the following items may be found in "Town of Westfield Construction Standards", administered by the Westfield Utilities Department:
 - Paving and Surfacing
 - Erosion Control
 - Principles and Standards of Roadway Design
 - Minimum Standards of Improvement
 - Landscaping for Utilities
 - Monuments and Markers
 - Curbs and Gutters
 - Street Signs
 - Water Mains
 - Storm Sewers
 - Gravity Sanitary Sewers
 - Force Mains
 - Submersible Lift Stations, and
 - Sidewalks

WC 16.04.250 Plat Certificates and Deed of Dedication

The following forms shall be used in final plats:

1. Commission Certificate

Under authority provided by IC 36-7, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, and an Ordinance adopted by the Town Council of the Town of Westfield as follows:

Approved by the Westfield-Washington Township Plan Commission at a meeting held _____, _____.

Westfield-Washington Township
Plan Commission

Secretary

(Seal)

2. County Commissioner's Certificate -

The following certificate shall also be used if the plat lies wholly or partly outside of the Town:

Under authority provided by IC 36-7 as amended by the General Assembly of the State of Indiana, this plat was given approval by the Board of County Commissioners of Hamilton County, Indiana, at a meeting held on _____.

(SEAL)

3. Registered Land Surveyor's Certificate -

I _____, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana:

That this plat correctly represents a survey completed by me on _____, that all the monuments shown thereon actually exist or bond has been posted to cover the later installation of these monuments, and that all other requirements specified herein, done by me, have been met.

(Signature)

(Seal)

4. Engineer's Certificate -

I, _____, hereby certify that I am a Registered Professional Engineer or Land Surveyor, as the case may be, licensed in compliance with the laws of the State of Indiana, and that I have inspected during their construction and installation all improvements and installations required for this subdivision, designated specifically as _____, and that such required improvements and installations have been made and installed in accordance with the specifications heretofore approved therefore.

(Signature)

(Seal)

5. Deed of Dedication -

Each final plat submitted to the Commission for approval shall carry a deed of dedication in substantially the following form:

We the undersigned owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as _____, an addition to _____, Indiana. All rights-of-way shown and not heretofore dedicated are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.

Before me the undersigned Notary Public, in and for the County and State, personally appeared _____, _____, and each separately and severally acknowledge the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notary seal this _____ day of _____, 19____.

(Seal)

WC 16.04.260 Variance

Where the subdivider can show that a provision of this Chapter would cause unnecessary hardship if strictly adhered to and where, in the opinion of the Commission, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision, the Commission may authorize a variance. Any variance thus authorized is required to be entered in writing in the minutes of the Commission and the reasoning on which the departure was justified shall be set forth.

WC 16.04.300 Violation

Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of Title 16 shall be subject to judgment of not less the \$25.00 nor more than \$300.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

WC 16.04.310 Penalty

Any person who shall commence any land improvement or construction subject to the provisions contained in this Ordinance without first receiving the required approvals as designated, or obtaining an improvement location permit and/or a certificate of occupancy, shall pay twice the amount of fees as set forth herein.

WC 16.04.320 Enforcement

The Building Commissioner is hereby designated and authorized to enforce this Ordinance.

WC 16.04.400 Amendment

All amendments to this Ordinance shall be in conformance with IC 18-7-5-39, IC 18-7-5-40, IC 18-7-5-41, IC 18-7-5-42 and IC 18-7-5-44, and all acts amendatory thereto.

WC 16.04.410 Validity

If any title, article, section, clause, paragraph, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other title, article, section, clause, paragraph, provision or portion of this Ordinance.

WC 16.04.420 Adoption

This Ordinance shall be in full force and effect from and after its passage.

Passed by the board of Trustees of the Town of Westfield, Indiana on the _____ day of _____, 19____.

Town Board of Trustees
Town of Westfield, Indiana

President

Attest:

Clerk-Treasurer

WC 16.04.430 Comprehensive Plan Amendment

Adopted this _____ day of _____, 1995, by the
Westfield Town Council effective August 1, 1995, except WC 16.04.035 which shall be
effective November 1, 1995.

Westfield Town Council

AYE

NAY

ABSTAIN

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

ATTEST:

Clerk-Treasurer

LANDSCAPING STANDARDS

Chapter 6. Landscaping Standards

WC 16.06.010 - General Landscaping Provisions

- A. Purpose and Intent - This Chapter establishes regulations for the preservation of natural features and minimum standards for the provision, installation, and maintenance of landscape materials. The regulations specified herein are intended to promote the health, attractiveness, and safety of the community; foster aesthetically pleasing and environmentally sensitive development that protects and preserves the appearance and character of the community; and encourages the preservation of natural areas such as mature tree stands and stream corridors.

This Chapter establishes standards to manage and control drainage and erosion; to increase the compatibility of development with the natural environment and adjacent developments; to encourage connectivity through the use of a pedestrian network; and to maintain and increase the value of land by requiring landscaping to be incorporated into developments. The standards set forth herein promote important physical and psychological benefits through the use of landscaping to reduce noise and lighting; promote innovative and cost conscious approaches to the design, installation, and maintenance of landscaping; and establish procedures and standards for the administration and enforcement of this Chapter.

B. Applicability

1. This Chapter shall apply to all zoning districts and all public, private, and institutional developments, except those approved prior to the enactment of this Chapter and those that have fulfilled filing requirements at the time of the enactment of this Chapter.
2. This Chapter shall apply to nonresidential uses, residential subdivisions, or other residential developments that require site development plan approval or a special exception.
3. This Chapter shall not apply to previously-authorized building permits, a previously-approved site development plans, or previously-approved subdivision plats.
4. This Chapter shall not apply to detached single-family residences not located within subdivisions.

C. Content of Landscape Plan - Landscaping plans shall comply with the following standards:

1. Landscape plans shall be submitted for all required green belt buffer areas, buffer yards, conservation easements, landscape easements, and areas owned in common within proposed developments. It is recommended that landscape plans be

prepared by licensed landscape architects, nurserymen, or other professionals experienced in landscape design, installation, and maintenance. A narrative describing ownership, use, and maintenance responsibilities of these areas should be specified in the submittal.

2. Landscape plans shall show the entire project drawn to scale on standard sized sheets (minimum 24" x 36") and shall contain the following information:
 - a. Names and addresses of owners, developers, plan preparers, plan preparation dates, scale of drawings, and north arrows;
 - b. Locations and dimensions of all existing and proposed structures, parking lots, driveways, roadways, rights-of-way, sidewalks, pedestrian pathways, bicycle pathways, ground signs, refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines, easements, freestanding structural features, landscape improvements, earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, courts, paved areas, buffer yards, primary and secondary green space areas, and green belt space;
 - c. Locations, quantities, sizes, and names (botanical names and common names) – of planting materials;
 - d. Existing and proposed grading plans, indicating contours at not more than two-foot intervals;
 - e. Locations of barriers to be placed at or beyond driplines of trees to be preserved and types of materials to be used for barriers;
 - f. Planting and installation details as necessary to ensure conformance with required standards;
 - g. Details indicating specific grading measures or protective devices to be utilized where trees are to be preserved in areas of cut and fill; and
 - h. Tables clearly displaying relevant statistical information, including numbers of existing trees and numbers of trees preserved, for example.
 3. Standard size sheets at the same scale as landscape plans that display locations, sizes, and common names of existing individual trees that measure twelve (12) inches or more in caliper, areas of dense trees or shrubs, and other natural areas.
- D. Modifications - When a change in use occurs, or when modifications that require a building permit are made to existing structures, landscaping shall be required to be installed in a manner that is comparable in nature and extent to the impact of the proposed change or modification.

WC 16.06.020 - Preservation and Replacement of Trees

- A. Developers shall take reasonable measures to design and locate proposed structures in a manner that minimizes the destruction of significant tree specimens.
- B. Prior to site development plan approval or the issuance of a building permit, developers shall inventory all trees which possess a caliper measure of at least twelve (12) inches. Tree inventories shall depict locations, sizes, and common names of existing trees and individual shrubs; areas containing dense trees or shrubs; and other natural site features. Existing trees that are to be preserved shall be credited toward required landscaping requirements based on the sizes of such preserved trees.
- C. The following considerations shall be made in regard to tree preservation efforts:
 - 1. The practicability of arranging site plan components around existing features. Plans for groups of structures should be designed so as to preserve areas of high tree concentrations, desirable individual tree specimens, and desirable stands of trees and shrubs;
 - 2. The condition of vegetation with respect to continued vitality;
 - 3. The possibility of preserving vegetation through pruning rather than removal.
 - 4. The desirability of a particular tree or species by reason of its appearance; historic or ecological significance; botanical characteristics; and the function the vegetation would fulfill as a site plan component;
 - 5. The practical and economic possibility of designing the location and grades of proposed structures and paving to preserve existing vegetation; and
 - 6. The potential for interference with utility services along the use of roads and walkways.
- D. Tree preservation plans shall be submitted with site plans that detail locations, sizes, and common names of preserved trees; individual shrubs; areas of dense tree or shrub concentrations, and other natural features which are to be preserved or removed. No disturbance shall be permitted in the critical root zones of preserved trees. Disturbances include trenching, backfilling, driving or parking equipment, and dumping trash, oil, paint, or other materials detrimental to plant health.
- E. Should any tree designated for preservation die within five (5) years of project completion, the owner shall replace such tree with a tree (or trees) of equal tree preservation value within 180 days (see following paragraph for value calculation).
- F. Incentives to Preserve Trees – Existing trees that are preserved shall contribute to required on-site landscaping, based proportionally on their caliper measure. Certain “cull” species and deformed trees may not be permitted to be credited. Preserved trees under eight (8) inches in caliper shall be credited at the rate of one (1) times the caliper measure of such trees. However, trees with a caliper of less than two (2)

inches shall not qualify for credit. Preserved trees between eight (8) and sixteen (16) inches in caliper shall be credited at the rate of two (2) times the caliper measure of such trees. If preserved trees possess caliper measures of sixteen (16) inches or greater, credit shall be calculated at the rate of four (4) times the caliper measure of such trees. A qualifying six (6) inch caliper preserved tree shall be credited as three (3) required two (2) inch caliper trees. A qualifying fourteen (14) inch caliper preserved tree shall be credited as twenty-eight (28) required two (2) inch caliper trees. And, a qualifying eighteen (18) inch caliper preserved tree shall be credited as thirty-six (36) required two (2) inch caliper trees.

- G. Barriers shall be used to protect trees during site development. Barriers shall be specified on landscape plans and shall be placed at or beyond the driplines of trees to be preserved. Such barriers shall remain in place during site construction. No vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits shall be permitted within such barriers. No notices or other objects shall be nailed or stapled to preserved trees.
- H. Grading measures or protective devices, such as tree wells, tree walls, or specialized fill and pavement designs, shall be installed when necessary to preserve identified tree specimens.

WC 16.06.030 - Selection, Installation, and Maintenance of Plant Materials

A. Selection

1. Shade Trees - Shade trees shall be a minimum of eight (8) feet in height and have a caliper measure of at least two (2) inches, measured twelve (12) inches above finished grade. Shade trees shall be of a variety that will attain an average mature spread greater than twenty (20) feet.
2. Evergreen Trees - Evergreen trees shall be a minimum height of six (6) feet.
3. Ornamental Trees - Ornamental trees shall have a minimum trunk size of two (2) inches in caliper, measured six (6) inches above finished grade.
4. Shrubs shall possess a minimum height of eighteen (18) inches at the time of planting.
5. Substitutions – If plant substitutions become necessary due to seasonal planting problems or a lack of plant availability, revisions to planting plans shall be permitted based on the substitution list below. For on-site requirements only, substitutions may be made for up to one-half (50%) of required plants. If plant substitutions do not fulfill the following criteria, changes to previously-approved plans shall be resubmitted and reviewed for new approval.
 - a. 1 shade tree = 2 ornamental trees = 2 evergreen trees
 - b. 1 ornamental tree = 1 evergreen tree

B. Installation

1. Landscaping materials shall be installed in accordance with planting procedures established by the American Association of Nurseryman.
2. Required landscaping of development projects shall be completed prior to the issuance of Certificates of Occupancy for non-residential and multi-family projects, and prior to the issuance of building permits for more than fifty percent (50%) of the lots within each section of residential subdivisions. Landscaping installation may be delayed up to 120 days due to the following:
 - a. Periods of adverse weather, or
 - b. Conflicts between construction scheduling and proper planting conditions.

C. Maintenance

1. All newly planted vegetative material shall meet minimum American Standard for Nursery Stock Standards.
2. Landscaping shall be maintained in healthy growing condition. This includes:
 - a. Regular irrigation, weeding, fertilizing, pruning, mowing, and other maintenance of outside plant materials on the property;
 - b. Mature trees shall not be topped. They shall be pruned according to procedures established in the National Arborist Association Standards, published by the National Arborist Association;
 - c. Treating plant materials that exhibit evidence of insect pest or disease damage;
 - d. Replacement of dead or dying plant materials with specimens in good, healthy, growing condition. Replacement shall be completed using the same plant materials approved on landscape plans.
 - e. Replenishing natural landscape materials such as rock, stone, bark chips and shavings that no longer cover the area in which they were originally deposited.
 - f. Repairing, replacing, or maintaining structural landscaping features including, but not limited to fountains, reflecting pools, outdoor art work, screening walls, retaining walls, fences, benches or other street furniture elements, as necessary to maintain these items in good condition.
 - g. Any other action necessary to maintain landscaping installed in accordance with an approved landscape plan.
3. Plantings and landscaping features required by this Chapter shall be subject to inspection to verify continued compliance with this Chapter.

WC 16.06.040 - General Landscape Design Standards

- A. Consultation - A landscape architect, nurseryman, or other professional experienced in the installation and care of plant materials shall be consulted to ensure that proposed plants are appropriate and will survive.
- B. Scale and Nature of Landscaping - The scale and nature of landscaping materials shall be appropriate to the size of proposed structures. Large-scale buildings should be complemented by large-scale plants. Form, texture, color, pattern of growth, and adaptability to local conditions shall be considered when selecting plant materials.
- C. Clearance - Trees shall be planted so that when they reach maturity, there will be a minimum of ten (10) feet of clearance between tree trunks and structures, building overhangs, walls, fences, and other trees.
- D. Materials - Grass and other vegetative ground cover shall be used in all green space areas, including parking lot islands, except for decorative mulch planting beds containing trees and/or shrubs; and inert stabilization in areas subject to severe runoff or erosion.
- E. Lines of Sight – Plantings in landscaped areas shall not obstruct sight lines as per WC 16.04.230 2.v).
- F. Energy Conservation - Plantings shall be arranged to promote energy conservation wherever practical. This includes using deciduous trees on the south and west sides of buildings to provide shade from summer sun and planting evergreens on the north of buildings to insulate against winter winds.
- G. Noise Reduction - Properties adjacent to highly trafficked roads or businesses shall arrange landscaping to reduce the intensity of noise by reflecting, deflecting, or absorbing sound. Some techniques to accomplish this include using earth berms, walls, fences, or plantings to provide physical separation and to absorb noise. When a berm is used to form a visual screen in lieu of or in conjunction with a hedge or wall, it shall not exceed a slope of thirty (30) degrees and shall be completely covered with shrubs, grass, or other living ground cover.
- H. Landscape plans shall clearly identify areas where stone or other inert materials are to be used as ground cover. Areas not so designated shall be required to have grass or other vegetative ground cover.
- I. Trash and Loading Facilities - Trash dumpsters, trash pads, loading areas consisting of two or more loading spaces, loading docks, service areas, and maintenance areas shall be screened from residential uses and public roads. Screening of such facilities shall be achieved by using a six (6) feet high, completely opaque fence or wall, a six (6) feet high berm, or a six (6) feet high evergreen screen planted nine (9) feet on center in a double staggered row.
- J. Heating and Cooling Facilities - Ground-mounted heating and cooling units for nonresidential or multi-family structures shall be completely screened.

- K. Softening of Walls and Fences - Plant materials other than ground cover shall be placed intermittently (approximately every 40 feet) against long expanses (over 80 feet) of building walls, fences, and other barriers to create a softening effect. However, ground cover plants may supplement the plant materials required by this paragraph.
- L. Detention/Retention Basins and Ponds - Detention/retention basins and ponds shall be landscaped in a manner that replicates the natural form of ponds. Such landscaping shall include shade trees, ornamental trees, evergreens, shrubbery, hedges, and/or other plant materials.

WC 16.06.050 - On-Site and Street Frontage Landscaping Requirements

A. On-Site Standards

- 1. Yards, setback areas, and green space areas within developments shall be landscaped with live vegetation.
- 2. The minimum numbers of shade trees, evergreen trees, ornamental trees, and shrubs required to be planted are set forth in Table 16.06.050-01.

Table 16.06.050-01: Minimum On-Site Requirements

Land Use Type	Plant Materials		
	Shade Trees	Ornamental or Evergreen Trees	Shrubs
Single-Family Residential	4 per dwelling unit	2 per dwelling unit	4 per dwelling unit
Multi-Family in MF 1&2 districts only	1 per dwelling unit	1 per dwelling unit	4 per dwelling unit
Institutional Uses	2 per acre	3 per acre	10 per acre
Business Uses	10 per acre	10 per acre	25 per acre
Industrial Uses	5 per acre	5 per acre	25 per acre

A proportional decrease in the required number of trees is allowed if larger caliper trees are planted. Trees with caliper measures of four (4) inches may replace two (2) required two (2) inch caliper trees.

- 3. Institutional uses include, without limitation, schools, churches and government offices.

4. For Institutional uses:
 - Trees required to be planted in interior parking lot landscaping areas may be counted toward meeting on-site landscaping requirements as set forth in the table above.
 - Identified acreage for constructed athletic fields and courts (including the adjacent perimeter for coaching and spectator viewing), and constructed playgrounds with equipment may be subtracted from the total acreage before computing on-site requirements.
5. Trees should be grouped together whenever possible to simulate natural tree stands, versus trees being planted in straight rows.
6. Required trees and plantings within residential land uses must be planted somewhere within such residential land uses. Required trees and plantings within such land uses are not intended to be requirements per each lot, but are intended to be aggregate requirements per subdivision section or per multi-family development.
7. Required trees and plantings within non-residential land uses must be planted per each lot requirement. Trees and plantings are not credited to overall development requirements.
8. Existing trees or woodlands that are preserved may be counted toward minimum planting requirements.

B. Road Frontage Standards

1. In residential developments, where property abuts primary arterials, secondary arterials, or collector roads not internal to subdivisions, at least one shade tree per thirty (30) linear feet of road frontage shall be planted adjacent to road rights-of-way. Trees planted along road frontage in residential developments may be credited toward overall on-site landscaping requirements set forth in Table 16.06.050-01.
2. In non-residential developments where property abuts any public right-of-way, at least one shade tree per forty (40) linear feet of road frontage shall be planted adjacent to road rights-of-way. Trees planted along road frontage in non-residential developments may be credited toward overall on-site landscaping requirements set forth in Table 16.06.050-01.
3. Shade trees required to be planted along road frontage shall be located outside drainage and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

4. When evergreen and/or ornamental trees are preserved along road frontage and qualify for preservation credit, they may count 1:1 toward road frontage requirements.

WC 16.06.060 - Buffer Yard Requirements

- A. Plantings in buffer yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plants used for screening must reach a minimum height of forty-eight (48) inches within three years of installation, and be at least eighteen (18) inches tall when planted. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.
- B. Buffer sizes shall be determined by adjacent zoning districts and/or land uses in accordance with Table 16.06.060-01. If adjacent properties possess a mix of land uses, then the highest intensity use shall determine the required buffer yard size.

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Table 16.06.060 – 01 : Minimum Required Buffer Yard

Land Uses		Adjoining									
		AG	SF <i>AG-SF1</i> <i>AG-SF1-I</i>	SF <i>SF1</i> <i>SF4</i> <i>SF2</i>	SF <i>SF3</i>	SF <i>SF4</i> <i>SF5</i>	MF	Institutional <i>Churches</i> <i>Schools</i> <i>Gov't Offices</i>	Commercial	Industrial <i>EI</i>	Industrial <i>OI</i>
Proposed	AG	-	40	40	40	40	40	15	15	15	15
	SF <i>AG-SF1</i> <i>AG-SF1-I</i>	40	-	20	20	20	20	40	40	40	40
	SF <i>SF1</i> <i>SF4</i> <i>SF2</i>	40	20	-	20	20	20	40	40	40	40
	SF <i>SF3</i>	40	20	20	-	20	20	40	40	40	40
	SF <i>SF4</i> <i>SF5</i>	40	20	20	20	-	20	40	40	40	40
	MF	40	20	20	20	20	-	40	40	40	40
	Institutional <i>Churches</i> <i>Schools</i> <i>Gov't Offices</i>	15	40	40	40	40	40	-	15	40	40
	Commercial	15	40	40	40	40	40	15	-	15	15
	Industrial <i>EI</i>	15	40	40	40	40	40	40	15	-	15
	Industrial <i>OI</i>	15	40	40	40	40	40	40	15	15	-

1. Institutional uses include, without limitation, schools, churches and government offices.
2. For primary institutional structures on lots of record (as of December 10, 2001, when Ordinance 01-16 was adopted) less than ten (10) acres in size adjacent to residential uses, the Plan Commission may approve a buffer yard width of less than 40 feet (but no less than 15 feet) provided that:

- The proposed structure shall be finished in a manner that is in character with the adjacent neighborhood.
- The buffer yard landscaping may be required to be supplemented with a fence or masonry wall to assist in addressing the impact of the proposed use on adjacent existing uses.

No drives or parking areas shall be permitted in the reduced buffer yard area.

- C. Within buffer yards, at least one (1) evergreen tree per thirty (30) linear feet and five (5) evergreen shrubs per thirty (30) linear feet shall be planted. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses. In order to create a more effective buffer, the Plan Commission may approve evergreen trees to be substituted in lieu of evergreen shrubbery on a 1:3 basis (tree:shrub). Up to 60% of shrubbery may be substituted for trees. (Staff note: Additional trees may be substituted to lessen required shrubbery planting, but additional shrubbery may not be substituted to reduce required tree plantings).
- D. If woodlands are located within buffer yards, preserved trees may be substituted for required plants in buffer yards (see WC 16.06.030, Selection, Installation, and Maintenance of Plant Materials for substitution guidelines).
- E. In residential districts, plantings required to be placed in buffer yards shall not be credited toward total on-site landscaping requirements set forth in Table 16.06.050-01.
- F. In non-residential districts, trees required to be planted in buffer yards shall be credited toward total on-site landscaping requirements set forth in Table 16.06.050-01.
- G. Buffer yards shall not be required between uses within planned developments or within subdivisions.

WC 16.06.070 - Parking Area Landscaping

The following landscape requirements shall be applied to parking lots to screen parking areas from streets, to prevent the creation of large expanses of paving, and to provide shade to paved areas.

A. Interior Parking Lot Landscaping

1. Area Required - A portion of vehicular use areas shall be maintained as landscaped area. The total amount of interior parking lot area that must be landscaped shall be based on the total number of proposed parking spaces. Such standards are set forth in Table 16.06.070-01:

Table 16.06.070 – 01 : Percentage of Parking Lot Landscaping

Number of Parking Spaces	Percentage of Vehicular Use Area to Be Landscaped
0 to 4	0 %
5 to 24	5 %
25 to 49	7.5 %
50 or more	10 %

2. Parking Lot Islands

- a. Parking lot islands shall be dispersed throughout parking lots in a design and configuration that aesthetically corresponds to the size and shape of parking lots. Combining or placing parking lot islands together such that more than one tree may be planted in the island shall be considered when possible.
- b. Parking lot islands shall be constructed at least six (6) inches above the surface of parking lots; they shall be a minimum of one hundred twenty (120) square feet in area; and they shall be a minimum of seven (7) feet in width, measured from back of curb to back of curb.
- c. Interior landscaped areas shall be curbed in a manner that restricts vehicles from driving over landscaped areas.
- d. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.
- e. Parking lot islands shall include at least one (1) tree and four (4) shrubs per parking lot island. One hundred (100) percent of every parking island shall be covered with permitted groundcover material to achieve complete coverage.
- f. No landscaping within parking lot islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting parking areas. Such landscaping shall be constructed in compliance with visibility standards set forth in WC 16.04.230 2.v).

B. Perimeter Parking Lot Landscaping

1. Application

- a. Perimeter landscaping is required for parking lots with ten (10) or more spaces where:
 - 1.) the parking lot is located within a required yard; or
 - 2.) the parking lot is located within twenty (20) feet of a lot line or right-of-way line.

- b. Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped in an aesthetically pleasing manner.
 - c. Trees required to be planted in perimeter parking lot landscape areas may be counted toward meeting total on-site landscaping requirements as set forth in Table 16.06.050-01.
- 2. Requirements - Perimeter parking lot landscape areas shall include the following landscape improvements:
 - a. There shall be one tree per thirty (30) linear feet of parking lot length. Trees may be clustered.
 - b. There shall be one shrub per three (3) feet of parking lot length. Shrubs may be clustered.
 - c. Perimeter parking lot landscape areas not planted with trees or shrubs shall be covered with grass or other permitted groundcover or mulch.

WC 16.06.080 - Recommended Plant Materials

- A. Table 16.06.080-01, Table of Recommended Plant Materials, lists plant materials recommended for use in fulfilling landscaping requirements.
- B. Table 16.06.080-02, Plant Use Table, suggests appropriate uses for each species of tree, shrub, ground cover, and vine.
- C. A minimum of three (3) different species of shade trees shall be used per each development site.

16.06.080 - 01

Plant Characteristics Tables

The physical and environmental characteristics for a number of landscape plants are given here. Unless otherwise noted, plants on this list are hardy in Central Indiana, tolerant of the built environment, easily maintained, and commercially available. Other suitable plants may be commercially available as new cultivars are developed.

The tables are arranged by plant size (largest to smallest), and they specify the following characteristics:

- Evergreen Plant – useful if you want year-round interest or if you need a screen to block a view.
- Average Spread – denotes the average diameter of a plant's foliage so that you will have some idea of the mature size of a plant.
- Growth Rate – denotes the speed at which a plant will grow given typical growing conditions. (Slow = 12" or less in one year. Moderate = 12"-24" in one year. Fast = more than 24" in one year.)
- Density – denotes how easy it is to see through a plant's foliage.
- Form – denotes the shape of the plant's foliage and limbs.
- Sunlight Requirement – denotes the amount of sunlight required by a plant.
- Soil Moisture Requirement – denotes the amount of soil moisture required by a plant. (Wet = 9"-12" of water available in the soil. Moderate = 6"-9" of water available in the soil. Dry = 3"-6" of water available in the soil.)
- Comments – lists any special attributes and/or requirements for a plant. It also lists available and proven cultivars.

Plant Characteristics

Large Trees (Over 40 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Acer platanoides</i> Norway Maple	N	30' to 40'	Moderate	Dense	Rounded	Partial shade to full sun	Moderate	Dense canopy makes it difficult to establish turfgrass or ground covers underneath. Maples tend to produce surface roots.
<i>Acer Rubrum</i> Red or Swamp Maple	N	40' to 50'	Moderate	Dense	Oval	Partial shade to full sun	Moderate	Good cultivars for Westfield include "October Glory" and "Red Sunset"
<i>Acer Saccharum</i> Sugar Maple	N	50' to 60'	Moderate	Dense	Rounded	Partial shade to full sun	Moderate	Dense canopy makes it difficult to maintain turfgrass. Intolerant of deicing salts. Produces surface roots.
<i>Catalpa Speciosa</i> Northern Catalpa	N	20' to 40'	Moderate	Dense	Rounded	Partial shade to full sun	Moderate	Showy white flower in early summer. Better for large scale situations because of leaf and fruit litter.
<i>Celtis laevigata</i> Sugar Hackberry	N	50' to 60'	Moderate	Moderate	Rounded	Full sun	Moderate to wet	Adapts well to adverse conditions (hot and cold temperatures, dry and alkaline soils). Smaller leaves than <i>C. occidentalis</i> . Adapted to wet sites.
<i>Celtis occidentalis</i> Common Hackberry	N	50' to 60'	Moderate	Moderate	Rounded	Full sun	Moderate	Adapts well to adverse conditions (hot and cold temperatures, dry and alkaline soils). Leaf galls are common but do not damage plant.

Large Trees (Over 40 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Cercidiphyllum japonicum</i> Katsura Tree	N	30' to 50'	Moderate	Moderate	Oval to Columnar	Partial shade to full sun	Moderate	Foliage is reddish purple. In fall, the leaves change to apricot-yellow.
<i>Chamaecyparis pisifera</i> Sawara False Cypress	Y	10' to 20'	Slow To Moderate	Very Dense	Pyramidal	Full sun	Moderate	Protect from wind.
<i>Fagus spp.</i> Beech	N	35' to 45'	Slow	Dense to Moderate	Rounded	Full sun	Moderate	Intolerant of soil disturbance and compaction.
<i>Fraxinus americana</i> White Ash	N	40' to 60'	Fast	Dense	Oval to Rounded	Full sun	Moderate	Dark green foliage that turns yellowish in autumn with a slight purple tint.
<i>Fraxinus Quadrangulata</i> Blue Ash	N	30' to 40'	Fast	Dense	Oval to Upright	Full sun	Moderate	Dark green foliage that turns a clear yellow in autumn.
<i>Fraxinus pennsylvanica</i> Green Ash	N	30' to 40'	Fast	Dense	Oval to Upright	Full sun	Moderate	Dark green foliage that turns a clear yellow in autumn.
<i>Ginkgo biloba</i> Ginkgo or Maidenhair Tree	N	30' to 50'	Slow	Moderate	Pyramidal To Rounded	Full sun	Moderate	Beautiful yellow fall color. Select only male cultivars.
<i>Gleditsia triacanthos</i> Honeylocust	N	30' to 40'	Fast	Light	Oval	Full sun	Moderate	Light shade of small leaves enables grass to grow beneath.
<i>Gymnocladus dioica</i> Kentucky coffeetree	N	40' to 50'	Moderate	Moderate	Oval	Full sun	Moderate	Attractive bark. Better for large scale situations because of fruit litter.

Large Trees (Over 40 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Larix spp.</i> Larch	N	25' to 30'	Moderate	Moderate	Pyramidal	Full sun	Moderate	Needle-like foliage turns yellow and falls off in autumn. Susceptible to pests.
<i>Liquidambar styraciflua</i> Sweet Gum	N	40' to 50'	Moderate	Moderate	Pyramidal to Oval	Full sun	Moderate	Star-shaped foliage turns yellow to red to bronze in autumn. Fruit can be a safety hazard.
<i>Liriodendron tulipifera</i> Tulip Tree or Yellow Poplar	N	35' to 50'	Moderate to Fast	Moderate	Oval	Full sun	Moderate	Yellow, green and orange tulip-shaped flowers bloom in mid-spring.
<i>Nyssa sylvatica</i> Sour Gum or Black Gum	N	20' to 30'	Slow to Moderate	Dense	Pyramidal to Oval	Full sun	Wet to Moderate	Beautiful and consistent fall color: yellow to orange to scarlet to purple.
<i>Picea abies</i> Norway Spruce	Y	25' to 30'	Fast	Dense	Pyramidal	Full sun	Moderate	
<i>Platanus occidentalis</i> American planetree or Sycamore	N	60' to 80'	Fast	Dense	Oval to Rounded	Full sun	Moderate	Best for large scale or wet situations. Produces lots of leaf litter.
<i>Pseudotsuga mensiezii</i> Douglas Fir	Y	12' to 20'	Moderate	Very Dense	Pyramidal	Full sun	Moderate	
<i>Quercus alba</i> White Oak	N	40' to 60'	Slow	Dense	Rounded	Full sun	Moderate	

Large Trees (Over 40 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Quercus imbricaria</i> Shingle Oak	N	40' to 60'	Slow	Dense	Oval to Rounded	Full sun	Moderate	
<i>Quercus macrocarpa</i> Bur Oak	N	40' to 60'	Slow	Dense	Oval to Rounded	Full sun	Moderate	Huge tree at maturity.
<i>Quercus montana</i> Chestnut Oak	N	40' to 60'	Slow	Dense	Oval to Rounded	Full sun	Moderate	
<i>Taxodium distichum</i> Baldecypress	N	20' to 30'	Moderate	Moderate	Pyramidal	Full sun	Moderate to Dry	
<i>Tilia americana</i> Basswood or American Linden	N	40' to 60'	Moderate	Dense	Oval	Full sun	Moderate	Sometimes infested with aphids which drop sap on cars.
<i>Tilia tomentosa</i> Silver Linden	N	30' to 50'	Moderate	Dense	Oval to Rounded	Full sun	Moderate	
<i>Zelkova serrata</i> Japanese zelkova	N	40' to 70'	Moderate	Moderate	Vase- shaped	Full sun	Moderate	

Medium Trees (26 to 50 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Abies concolor</i> White Fir	Y	15' to 30'	Slow	Very Dense	Pyramidal	Partial shade to Full sun	Moderate	Needles are bluish or grayish green. Best in large areas to allow plant development.
<i>Acer campestre</i> Hedge Maple	N	25' to 35'	Slow	Dense	Rounded	Partial shade to Full sun	Moderate	
<i>Aesculus x carnea</i> Red Horse Chestnut	N	30' to 40'	Moderate	Dense	Rounded	Full sun	Moderate	Dark green foliage with pink/red flowers in late spring.
<i>Aesculus glabra</i> Ohio Buckeye	N	20' to 30'	Slow to Moderate	Dense	Oval to Rounded	Full sun	Moderate	Subject to leaf spot diseases with a wet spring.
<i>Aesculus hippocastanum</i> Common Horse Chestnut	N	40' to 70'	Moderate	Dense	Rounded	Partial shade to full sun	Moderate	Dark green foliage with white flowers in mid spring

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<i>Betula nigra</i> River Birch	N	40' to 60'	Moderate	Moderate	Oval to Rounded	Partial shade to full sun	Wet to moderate	Reddish brown to pale tan bark that peels off in thin layers; single stem or clump
<i>Carpinus betulus</i> European hornbeam	N	20' to 30'	Slow	Dense	Rounded	Partial shade to full sun	Moderate	Orange to deep red fall foliage.
<i>Carpinus caroliniana</i> American hornbeam or Ironwood	N	20' to 30'	Slow	Dense	Rounded	Partial shade to full sun	Moderate	Orange to deep red fall foliage.
<i>Chamaecyparis lawsoniana</i> Lawson False Cypress	Y	10' to 25'	Slow to Moderate	Very Dense	Pyramidal	Full sun	Moderate	Protect from sweeping winds.

Medium Trees (26 to 50 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Chamaecyparis obtusa</i> Hinoki False Cypress	Y	10' to 20'	Slow	Very Dense	Pyramidal	Full sun	Moderate	Protect from sweeping winds.
<i>Chionanthus virginicus</i> Fringetree	N	12' to 20'	Slow	Moderate	Spreading	Partial shade to full sun	Wet to moderate	White, fringe-like flowers in spring.
<i>Cladrasis lutea (kentukea)</i> Yellowwood	N	40' to 50'	Moderate	Dense	Vase-shaped	Full sun	Moderate	White, fragrant flowers in June.

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<i>Diospyros virginiana</i> Common Persimmon	N	20' to 30'	Slow to Moderate	Dense	Oval	Full sun	Moderate	Fruits edible but messy.
<i>Koelreuteria paniculata</i> Golden Rain Tree	N	30' to 40'	Slow to Moderate	Dense	Rounded	Full sun	Moderate	Yellow flowers in 8-14" clusters in summer.
<i>Maackia amurensis</i> Amur maackia	N	20' to 30'	Slow to Moderate	Dense	Rounded	Full sun	Moderate	Shiny copper brown bark, peeling with maturity.
<i>Ostrya virginiana</i> Hop Hornbeam or Ironwood	N	20' to 35'	Slow to Moderate	Dense	Oval	Partial shade to Full sun	Moderate	Medium to dark green foliage turns yellow in autumn. Bark attractive year round.
<i>Phellodendron amurense</i> Amur Corktree	N	30' to 45'	Moderate	Moderate	Spreading to Irregular	Full sun	Moderate	Attractive "corky" bark. Open, picturesque branching habit.
<i>Picea omorika</i> Serbian Spruce	Y	20' to 25'	Slow	Very Dense	Pyramidal	Full sun	Moderate	Narrow pyramidal canopy with dark green and light green needles.

Medium Trees (26 to 50 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Picea pungens</i> Colorado Spruce	Y	20' to 25'	Slow	Very Dense	Pyramidal	Full sun	Moderate	Gray-green to blue-green foliage.
<i>Pinus sylvestris</i> Scotch Pine	Y	30' to 40'	Moderate	Moderate	Pyramidal	Full sun	Moderate	
<i>Pyrus Calleryana</i> Callery Pear	N	20' to 35'	Fast	Dense	Oval	Full sun	Moderate	Avoid 'Bradford' due to structural flaws. Consider "Aristocrat" or "Cleveland"
<i>Sophora japonica</i> Japanese Pagoda or Chinese Scholar	N	40' to 60'	Moderate	Moderate	Rounded	Full sun	Moderate	
<i>Tsuga canadensis</i> Canada hemlock	Y	25' to 35'	Moderate	Very Dense	Pyramidal	Partial shade to full sun	Moderate	Protect from sweeping winds.
<i>Ulmus parvifolia</i> Lacebark Elm	N	40'	Moderate	Moderate	Rounded	Full sun	Moderate	Beautiful mottled bark.

Small Trees (13 to 25 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Acer ginnala</i> Amur Maple	N	15' to 25'	Slow	Dense	Rounded	Partial shade to Full sun	Moderate	Single stem or clump. Fragrant spring flowers. Scarlet fall foliage.
<i>Acer palmatum</i> Japanese Maple	N	15' to 25'	Slow	Dense	Rounded to Spreading	Partial shade to Full sun	Moderate	Protect from full sun and wind.
<i>Acer Tataricum</i> Tatarian Maple	N	30' to 35'	Slow	Dense	Rounded	Partial shade to Full sun	Moderate	
<i>Alnus glutinosa</i> European or Black Alder	N	20' to 30'	Moderate	Dense	Oval to Pyramidal	Full sun	Wet to Moderate	
<i>Amelanchier sp.</i> Serviceberry, Juneberry or Shadblow	N	15' to 30'	Moderate	Moderate	Rounded to Spreading	Full sun to partial shade	Moderate	Single stem or clump. Orange to red fall foliage.
<i>Cercis canadensis</i> Eastern Redbud	N	25' to 35'	Slow to Moderate	Moderate	Rounded to Irregular	Partial shade to Full sun	Moderate	Pink flowers in April. Good clear yellow fall foliage.
<i>Cornus florida</i> Flowering Dogwood	N	30' to 40'	Slow to Moderate	Dense	Rounded to Irregular	Partial shade	Moderate	Beautiful white/pink red flowers in spring. Does not tolerate dry, exposed, and sunny conditions. Plant in a partially shaded and protected area, and mulch around trunk.

Small Trees (13 to 25 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Cotinus coggygia</i> Smoke Tree	N	10' to 15'	Slow	Dense	Rounded	Full sun	Moderate	Red to purple fall foliage. Weak-wooded. Plant where protected from wind.
<i>Crataegus crus-</i> <i>galli</i> Cockspur Hawthorn	N	20' to 35'	Slow to Moderate	Moderate	Rounded to Spreading	Full sun	Moderate to Dry	Thorns may present a hazard.
<i>Crataegus</i> <i>phaenopyrum</i> Washington Hawthorn	N	20' to 25'	Slow	Moderate	Rounded	Full sun	Moderate to Dry	Thorns may present a hazard.
<i>Crataegus viridis</i> Green Hawthorn	N	20' to 35'	Slow to Moderate	Moderate	Rounded	Full sun	Moderate to Dry	Thorns may present a hazard.
<i>Magnolia x</i> <i>loebneri</i> Loebner Magnolia	N	25' to 35'	Moderate	Moderate	Irregular	Full sun	Moderate	Large, fragrant white flowers in spring.
<i>Magnolia x</i> <i>soulangiana</i> Saucer Magnolia	N	20' to 30'	Moderate	Moderate	Irregular	Full sun	Moderate	Large, fragrant white to pink flowers in spring.
<i>Magnolia stellata</i> Star Magnolia	N	10' to 15'	Moderate	Moderate	Irregular	Full sun	Moderate	Large, fragrant white flowers in spring.

Small Trees (13 to 25 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Malus cultivars</i> Crabapple	N	15' to 25'	Slow to Moderate	Dense	Rounded	Full sun	Moderate	Choose disease-resistant varieties.
<i>Malus sargentii</i> Sargent Crabapple	N	6' to 8'	Slow to Moderate	Dense	Rounded	Full sun	Moderate	Very small tree. Height rarely exceeds 8'.
<i>Prunus x blireiana</i> Purple-leaved Plum	N	15' to 20'	Slow to Moderate	Dense	Rounded	Full sun	Moderate	Susceptible to Japanese beetles and other pests.
<i>Prunus serrulata</i> Japanese Flowering Cherry	N	15' to 20'	Slow to Moderate	Dense	Rounded	Full sun	Moderate	Susceptible to Japanese beetles, borers, and other diseases.
<i>Syringa reticulata</i> Japanese Tree Lilac	N	15' to 25'	Slow	Dense	Rounded to Oval	Full sun	Moderate	Large, lilac-shaped flowers in July. Cherry-like bark.

Large Shrubs (Over 13 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Hamamelis</i> spp. And cultivars Witchhazel	N	15' to 20'	Slow to Moderate	Dense	Rounded	Partial shade to full sun	Moderate	Unusual flowers in February or October. Orange to scarlet fall foliage.
<i>Viburnum lantana</i> Wayfaring Tree	N	10' to 15'	Slow to Moderate	Dense	Rounded to Oval	Full sun	Moderate to Dry	White flowers in May. Red fruits in summer. Little fall color.
<i>Viburnum prunifolium</i> Black Haw	N	8' to 12'	Slow to Moderate	Dense	Rounded to Oval	Partial shade to full sun	Moderate	Plant for which the “Hawpatch” area was named. Single stem or clump form.
<i>Viburnum sieboldii</i> Siebold Viburnum	N	10' to 15'	Moderate	Dense	Rounded to Oval	Partial shade to full sun	Moderate	White flowers in spring. Red fruits in summer.
<i>Juniperus communis</i> Common Juniper	Y	8' to 12'	Slow	Very Dense	Spreading to Columnar	Full sun	Moderate to Dry	
<i>Juniperus scopulorum</i> Rocky Mountain Juniper or Western Red Cedar	Y	8' to 15'	Slow	Dense	Pyramidal	Full sun	Moderate to Dry	
<i>Lindera benzoin</i> Spicebush	N	6' to 12'	Slow to Medium	Moderate	Upright to Rounded	Full to partial shade	Moderate to Wet	Small, extremely fragrant flowers in April. Yellow fall foliage.
<i>Taxus cuspidata</i> Japanese Yew	Y	15' to 50'	Slow	Very Dense	Pyramidal to Rounded	Partial Shade	Moderate	
<i>Taxus x media</i> Anglo-Japanese Yew	Y	15' to 30'	Slow	Very Dense	Rounded to Spreading	Partial Shade	Moderate	

Large Shrubs (Over 13 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Thuja occidentalis</i> American or Eastern Arborvitae, White Cedar	Y	10' to 15'	Slow	Very Dense	Pyramidal	Full sun	Moderate	Use "Emerald", "Techny" or "Holmstrup" to limit height without trimming

Medium Shrubs (6½ to 12 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Acanthopanax sieboldianus</i> Fiveleaf Aralia	N	8' to 10'	Slow to Moderate	Dense	Rounded to Spreading	Full shade to full sun	Moderate to Dry	Greenish-white flowers in June and July. Black berries.
<i>Calycanthus Floridus</i> Sweetshrub	N	6' to 12'	Slow to Moderate	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	Red-brown, extremely fragrant flowers throughout summer.
<i>Cornus alba</i> Tatarian Dogwood	N	5' to 10'	Fast	Dense	Upright to Rounded	Partial shade to full sun	Moderate	White flowers May-June.
<i>Cornus mas</i> Cornelian Cherry	N	15' to 20'	Slow	Dense	Rounded	Full sun	Moderate	Small yellow flowers February-March. Large red berries.
<i>Cornus racemosa</i> Grey Dogwood	N	6' to 8'	Moderate to Fast	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	White flowers May-June. Purple fall foliage.
<i>Cornus sericea</i> Red Osier Dogwood	N	10' to 15'	Fast	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	White flowers May-June. Orange to purple fall foliage. Bright red twigs.
<i>Elaeagnus umbellata</i> Autumn Olive	N	12' to 18'	Moderate to Fast	Dense	Spreading	Full sun	Moderate to Dry	Best for sites where nothing else will grow. Can become invasive.
<i>Euonymus alatus</i> Burning Bush	N	15' to 20'	Slow	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	Subject to spider mites when plant is adjacent to asphalt. "Compactus" is slow-growing cultivar.
<i>Forsythia x intermedia</i> Border Forsythia	N	10' to 12'	Fast	Moderate	Upright to Spreading	Partial shade to full sun	Moderate	Yellow flowers in spring.

Medium Shrubs (6½ to 12 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Hamamelis vernalis</i> Vernal Witchhazel	N	8' to 12'	Moderate	Moderate	Rounded to Spreading	Partial Shade to full sun	Moderate	Yellow-red flowers February. Yellow fall foliage.
<i>Hibiscus syriacus</i> Rose-of-Sharon	N	8' to 15'	Moderate	Moderate	Upright	Full sun	Moderate	Susceptible to Japanese beetles and other diseases.
<i>Hydrangea quercifolia</i> Oak Leaf Hydrangea	N	4' to 8'	Slow to Moderate	Moderate	Upright to Irregular	Full shade to full sun	Wet to Moderate	White flowers June-July. Orange, red, or purple fall foliage.
<i>Ilex verticillata</i> Winterberry	N	6' to 10'	Slow to Moderate	Dense	Rounded	Partial shade to full sun	Wet to Moderate	Very high wildlife value. Numerous species eat the fruit.
<i>Kolkwitzia amabilis</i> Beautybush	N	9' to 12'	Moderate to Fast	Dense	Upright to Rounded	Full sun	Moderate	Pink flowers May-June. Pinkish brown fruit.
<i>Philadelphus coronarius</i> Sweet Mockorange	N	10' to 12'	Fast	Dense	Rounded	Partial shade to full sun	Moderate	White, extremely fragrant flowers May-June.
<i>Prunus x cistena</i> Purpleleaf Sand Cherry	N	10' to 15'	Moderate	Dense	Rounded	Full sun	Moderate	Susceptible to Japanese beetles.
<i>Spiraea prunifolia</i> Bridalwreath Spirea	N	6' to 8'	Fast	Moderate	Upright to Spreading	Full sun	Moderate	White flowers in early summer.
<i>Syringa vulgaris</i> Common Lilac	N	10' to 20'	Moderate	Moderate	Upright to Spreading	Full sun	Moderate	Susceptible to borers and mildew.

Medium Shrubs (6½ to 12 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Viburnum x burkwoodii</i> Burkwood Viburnum	N	5' to 7'	Slow to Moderate	Dense	Rounded	Full shade to full sun	Moderate	Susceptible to Japanese beetles. White, fragrant flowers in spring. Red fruit.
<i>Viburnum dentatum</i> Arrowwood	N	8' to 10'	Slow to Moderate	Dense	Rounded to Spreading	Full shade to full sun	Moderate	White flowers May-June. Blue-black berries. Purple fall foliage.
<i>Viburnum dilatatum</i> Linden Viburnum	N	6' to 10'	Slow to Moderate	Dense	Upright to Rounded	Partial shade to full sun	Moderate	White flowers May. Red fruit. Yellow, orange, red fall foliage.
<i>Viburnum farreri</i> Fragrant Viburnum	N	8' to 12'	Moderate	Dense	Upright to Irregular	Full sun	Moderate	White, fragrant flowers April. Yellow fruit.
<i>Viburnum x juddii</i> Judd Viburnum	N	6' to 8'	Slow to Moderate	Dense	Rounded	Partial shade to full sun	Moderate	White flowers. Red fruit.
<i>Viburnum opulus</i> European Cranberry Bush	N	10' to 15'	Moderate	Dense	Upright to Rounded	Partial shade to full sun	Moderate	White flowers. Red fruit.
<i>Viburnum plicatum</i> Doublefile Viburnum	N	9' to 12'	Moderate	Dense	Upright to Rounded	Partial shade to full sun	Moderate	White flowers in spring. Red to black fruit. Purple red fall foliage.
<i>Viburnum x rhtidophylloides</i> Lantanaphyllum Viburnum	N	8' to 10'	Moderate	Moderate	Upright to Rounded	Partial shade	Moderate	“Willowwood” White flowers May. Red to black fruit. Purple fall foliage.

Small Shrubs (3 to 6 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Abelia x grandiflora</i> Glossy Abelia	N	3' to 4'	Moderate	Moderate	Rounded	Partial shade to full sun	Moderate	"Sherwood" is a serviceable dwarf cultivar. White flowers July-October.
<i>Abeliophyllum distichum</i> White Forsythia	N	3' to 4'	Moderate	Moderate	Rounded to Irregular	Partial shade to full sun	Moderate	White flowers March-April.
<i>Berberis thunbergii</i> Japanese Barberry	N	4' to 7'	Moderate	Moderate	Rounded to Spreading	Full sun	Moderate	Good barrier plant; however, thorniness makes clean up difficult. Traps leaves and litter.
<i>Buddleia davidii</i> Orange-eye Butterfly Bush	N	5' to 10'	Fast	Moderate	Upright to Spreading	Partial shade to full sun	Moderate	May be killed to the ground during very cold winters. It will, however, return in the spring.
<i>Callicarpa japonica</i> Japanese Beautyberry	N	4' to 6'	Fast	Moderate	Rounded to Spreading	Partial shade to full sun	Moderate	Pink-white flowers July. Violet fruit. <i>C. americana</i> is native species.
<i>Caryopteris x clandonensis</i> Bluebeard	N	3' to 5'	Fast	Moderate	Rounded	Full sun	Moderate to Dry	May be susceptible to winter dieback in severe winters. Blue flowers late summer.
<i>Chaenomeles speciosa</i> Flowering Quince	N	3' to 5'	Fast	Moderate	Rounded to Spreading	Full sun	Moderate	White, pink, or scarlet flowers early spring. Large yellow-green fruit.
<i>Daphne x burkwoodii</i> Burkwood Daphne	Y	2' to 4'	Slow	Dense	Rounded	Partial shade to full sun	Moderate to Dry	"Carol Mackie" is variegated with pink flowers in May.

Small Shrubs (3 to 6 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Deutzia gracilis</i> Slender deutzia	N	5' to 7'	Slow to Medium	Dense	Rounded	Partial shade to full sun	Moderate	Pure white flowers May-June. Burgundy fall foliage.
<i>Ilex x meserveae</i> Meserveae Holly	Y	5' to 15'	Moderate	Dense	Rounded to Upright	Partial shade to full sun	Moderate	Bluish green foliage. Red fruits on female plants.
<i>Kerria japonica</i> Japanese Kerria	N	6' to 9'	Moderate	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	Yellow flowers May. Yellow-green stems.
<i>Ligustrum obtusifolium</i> Border Privet	N	5' to 8'	Fast	Dense	Spreading	Partial shade to full sun	Moderate	White flowers April. Small blue-black fruit. Purplish fall foliage.
<i>Ligustrum x vicaryi</i> Golden Privet	N	5' to 8'	Fast	Dense	Spreading	Partial shade to full sun	Moderate	White flowers April. Small blue-black fruit. Purplish fall foliage.
<i>Myrica pensylvanica</i> Bayberry	N	5' to 12'	Moderate	Dense	Upright to Rounded	Partial shade to Full Sun	Moderate to Dry	Tolerates road salt.
<i>Picea glauca</i> 'conica' Dwarf Alberta Spruce	Y	3' to 5'	Slow	Very Dense	Pyramidal	Full sun	Moderate	
<i>Pinus mugo</i> Mugho Pine	Y	4' to 6'	Slow	Very Dense	Rounded to Spreading	Full sun	Moderate to Dry	Susceptible to mites and scale.
<i>Prunus glandulosa</i> Dwarf Flowering Almond	N	2' to 5'	Moderate	Open to Dense	Rounded	Full sun	Moderate to Dry	Pink flowers early spring.

Small Shrubs (3 to 6 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Rhododendron PJM</i> <i>hybrids</i> PJM Rhododendrons	Y	3' to 5'	Moderate	Moderate	Rounded	Partial shade	Moderate	Scarlet-purple flowers in April.
<i>Rhodotypos scandens</i> Jetbead	N	4' to 9'	Moderate to Fast	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	White flowers in spring. Black fruit.
<i>Rhus aromatica</i> 'Gro Lo' Gro Lo Fragrant Sumac	N	6' to 10'	Slow to Moderate	Dense	Spreading to Irregular	Full sun	Moderate	Reliably low growing and maintenance free. Bronze-orange purple fall foliage.
<i>Syringa patula</i> Miss Kim Lilac	N	8' to 12'	Moderate	Dense	Rounded to Upright	Full sun	Moderate	Fragrant lilac flowers May-June. Mauve-purple fall foliage.
<i>Taxus canadensis</i> Canada Yews	Y	3' to 5'	Slow	Dense	Rounded to Spreading	Partial shade to Full Sun	Moderate	
<i>Thuja occidentalis</i> "Woodwardi" Globe Arborvitae	Y	3' to 5'	Slow	Dense	Rounded	Full sun to Partial Shade	Moderate	
<i>Viburnum opulus</i> "Nanum" Dwarf Cranberrybush	N	3' to 5'	Moderate	Dense	Rounded	Partial shade to full sun	Moderate	White flowers May. Red fruit.

Small Shrubs (3 to 6 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Vitex agnus-castus</i> Chaste Tree	N	3' to 5'	Fast	Moderate	Upright	Partial shade to full sun	Moderate	Grows tree-sized in the south. Our winter, however, keeps the plant shrub-sized. Large, fragrant, lilac flowers in summer.
<i>Weigela florida</i> Old-Fashioned Weigela	N	9' to 12'	Slow to Moderate	Dense	Rounded to Spreading	Partial shade to full sun	Moderate	Deep rose pink flowers May- June. Needs pruning to remain attractive.

Dwarf Shrubs (Under 3 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Buxus microphylla</i> Littleleaf Boxwood	Y	3' to 4'	Slow	Very Dense	Rounded	Partial shade to full sun	Moderate	
<i>Chamaecyparis obtusa</i> "Nana" Hinoki False Cypress	Y	3' to 4'	Slow	Very Dense	Rounded	Partial shade to full sun	Moderate	Protect from the wind.
<i>Cotoneaster apiculatus</i> Cranberry Cotoneaster	N	3' to 6'	Slow to Moderate	Moderate	Spreading	Full sun	Moderate	Light pink flowers in spring. Large red berries. Orange to scarlet fall foliage.
<i>Cotoneaster horizontalis</i> Rockspray Cotoneaster	N	5' to 8'	Slow to Moderate	Moderate	Spreading	Full sun	Moderate	Light pink flowers in spring. Large red berries. Orange to scarlet fall foliage.
<i>Fothergilla gardenii</i> Dwarf Fothergilla	N	3' to 4'	Slow	Moderate	Rounded	Partial shade to full sun	Moderate	Cream colored flowers in April. Yellow, orange, and crimson fall foliage.
<i>Ilex glabra</i> "Compacta" Compact Inkberry Holly	Y	4' to 6'	Slow	Very Dense	Spreading	Partial shade to full sun	Moderate	
<i>Juniperus chinensis</i> "Pfitzerana Compacta" Nick's Compact Juniper	Y	6' to 10'	Slow to Moderate	Very Dense	Spreading	Full sun	Moderate to dry	

Dwarf Shrubs (Under 3 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Juniperus chinensis</i> "San Jose" San Jose Juniper	Y	6' to 8'	Slow to Moderate	Very Dense	Spreading	Full sun	Moderate to dry	
<i>Juniperus communis</i> Common Juniper	Y	4' to 6'	Slow	Very Dense	Spreading	Full sun	Moderate to dry	
<i>Juniperus conferta</i> Shore Juniper	Y	5' to 9'	Slow	Very Dense	Spreading	Full sun	Moderate to dry	Salt tolerant
<i>Juniperus procumbens</i> Japanese Garden Juniper	Y	10' to 15'	Slow	Very Dense	Spreading	Full sun	Moderate to dry	Cultivars: "Greenmound" "Nana" "Variegata"
<i>Juniperus sabina</i> Savin Juniper	Y	5' to 9'	Slow	Very Dense	Spreading	Full sun	Moderate to dry	Cultivars: "Arcadia" "Broadmoor" "Skandia" "Tamariscifolia"
<i>Potentilla fruticosa</i> Bush Cinquefoil	N	2' to 5'	Slow	Moderate	Upright to Rounded	Full sun	Moderate	Cultivars: "Abbotswood" "Goldfinger" "Moonlight" "Primrose Beauty" "Red Ace" "Tangerine"
<i>Spirea x bumalda</i> "Anthony Waterer" Anthony Waterer Spirea	N	4' to 5'	Fast	Moderate	Rounded	Full sun	Moderate	Pink flowers June-August. Yellowish fall foliage.

Dwarf Shrubs (Under 3 Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Symphoricarpos x chenaultii</i> Chenault Coralberry	N	3' to 6'	Fast	Moderate	Rounded to Spreading	Partial shade to full sun	Moderate	Pinkish-white flowers June- July. Pink fruit.
<i>Taxus baccata</i> "Repandens" Dwarf English Yew	Y	10' to 12'	Slow	Very Dense	Spreading	Partial shade	Moderate	
<i>Tsuga canadensis</i> <i>dwarf cultivars</i> Dwarf Canada Hemlock	Y	5' to 8'	Slow	Dense	Spreading	Partial shade	Moderate	Cultivars: "Nana" "Brandley"
<i>Yucca filamentosa</i> Yucca or Adam's Needle	Y	2' to 5'	Moderate	Open	Upright	Full sun	Moderate to dry	6' high white flower stalks in summer. Foliage resembles that of Iris.

Ground Covers (Less Than 1½ Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Aegopodium podagraria</i> Bishop's Weed or Gout Weed	N	2' to 4'	Fast	Dense	Spreading	Full sun to full shade	Moderate to dry	Invasive, use on difficult sites where nothing else will grow.
<i>Ajuga Bugleweed</i>	Y	6'+	Moderate to Fast	Dense	Spreading	Full to partial shade	Moderate	Invasive
<i>Arundinaria variegata</i> Dwarf Whitestripe Bamboo or Gardener's Garters	N	3' to 6'	Fast	Dense	Upright to Spreading	Full sun to full shade	Moderate	
<i>Comptonia peregrina</i> Sweet Fern	N	4' to 8'	Slow to Moderate	Moderate	Spreading	Partial shade to full sun	Moderate	Prefers slightly acid soils. Small shrub to 3' tall.
<i>Convallaria majalis</i> Lily of the Valley	N	2' to 4'	Moderate	Moderate	Spreading	Full to partial shade	Wet to Moderate	All parts of this plant are poisonous.
<i>Cotoneaster dammeri</i> Bearberry Cotoneaster	N	4' to 6'	Fast	Moderate	Spreading	Full sun	Moderate	Small, pinkish white flowers. Red fruit.
<i>Epimedium</i> hybrids, cultivars and species Barrenwort	N	2' to 5'	Fast	Dense	Spreading	Full to partial shade	Moderate	
<i>Galium odoratum</i> Sweet Woodruff	N	3' to 5'	Fast	Dense	Spreading	Full shade	Moderate	

Ground Covers (Less Than 1½ Feet Tall)

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Hedera helix</i> "Thorndale" Baltic or Thorndale English Ivy	Y	3' to 7'	Fast	Dense	Spreading	Partial shade to full shade	Moderate	
<i>Hosta spp and</i> <i>cultivars</i> Plantain Lily	N	1' to 5'	Fast	Moderate	Spreading	Partial Shade	Moderate	
<i>Hypericum</i> <i>calycinum</i> Aaronsbeard St. John's Wort	N	1' to 4'	Slow to Moderate	Dense	Spreading	Partial shade to full sun	Moderate	Tolerates dry soils. Bright yellow flowers in summer.
<i>Juniperus</i> <i>horizontalis</i> Creeping Juniper	Y	4' to 8'	Slow to Moderate	Very Dense	Spreading	Full sun	Moderate to Dry	Cultivars: "Bar Harbor" "Douglasii" "Emerald Spreader" "Hughes" "Prince of Wales"
<i>Liriope spicata</i> Creeping Lilyturf of Liriope	Y	1' to 3'	Fast	Dense	Spreading	Full shade to full sun	Moderate	Purplish-white flowers.
<i>Pachysandra</i> <i>terminalis</i> Japanese Spurge	Y	1' to 3'	Slow	Dense	Spreading	Full to partial shade	Moderate	White flowers in spring.
<i>Rosa Wichuraiana</i> Memorial Rose	N	3' to 7'	Fast	Dense	Spreading	Full sun	Moderate	
<i>Vinca minor</i> Common Periwinkle	Y	1' to 3'	Moderate to Fast	Dense	Spreading	Full to partial shade	Moderate	Subject to fungal diseases if air circulation is poor.

Vines and Climbers

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Actinidia arguta</i> Bower Actinidia	N		Fast	Moderate	Climbing Vine	Partial shade to full sun	Moderate	
<i>Akebia quintata</i> Fiveleaf Akebia	N		Fast	Dense	Climbing Vine	Partial shade to full sun	Moderate	
<i>Campsis radicans</i> Trumpet Creeper or Trumpetvine	N		Fast	Dense	Climbing Vine	Full sun	Moderate	Best for large scale situations where there is plenty of room for this plant to grow.
<i>Celastrus scandens</i> American Bittersweet	N		Fast	Dense	Climbing Vine	Full shade to full sun	Moderate	Best for large scale situations where there is plenty of room for this plant to grow.
<i>Clematis</i> Clematis	N		Fast	Moderate	Climbing Vine	Partial shade to full sun	Moderate	Scores of cultivars. Select only those that will survive in hardiness zone 5a.
<i>Hedera helix</i> English Ivy	Y		Fast	Dense	Climbing Vine	Full shade to full sun	Moderate	
<i>Hydrangea anomala</i> Climbing Hydrangea	N		Slow to Moderate	Moderate	Climbing Vine	Full shade to full sun	Moderate	White flowers in summer.
<i>Lonicera</i> Spp., hybrids and cultivars Vine Honeysuckle	N		Fast	Dense	Climbing Vine	Partial shade to full sun	Moderate	All loniceras are very invasive.
<i>Parthenocissus quinquefolia</i> Virginia Creeper	N		Fast	Moderate	Climbing Vine	Full shade to full sun	Moderate	Best for large scale situations where there is plenty of room for this plant to grow.
<i>Parthenocissus tricuspidata</i> Boston Ivy	N		Fast	Moderate	Climbing Vine	Full shade to full sun	Moderate	Best for large scale situations where there is plenty of room for this plant to grow.

Vines and Climbers

Scientific Name Common Name	Evergreen?	Average Spread	Growth Rate	Density	Form	Sunlight Requirement	Soil Moisture Requirement	Comments
<i>Polygonum aubertii</i> China or silver Fleecevine	N		Fast	Dense	Climbing Vine	Full sun	Moderate to dry	
<i>Wisteria</i> Japanese or Chinese Wisteria	N		Fast	Dense	Climbing Vine	Full sun	Moderate	Best for large-scale situations where there is plenty of room for this plant to grow. Large clusters of lilac flowers.

16.06.080 - 02 Plant Use Tables

The tables are arranged by plant size, (largest to smallest), and they indicate recommendations for the following uses:

- Screen – includes categories for screening plants up to 6’ in height and over 6’ in height.
- Parking Area – includes plant recommendations for both perimeter and interior parking area landscaping.
- Intersections – useful for choosing plants that will not interfere with traffic visibility at intersections.
- Under Utility Lines – denotes which plants are most appropriate for planting near overhead utility lines. Generally less than 25’ tall.
- Street Tree – denotes which trees are most appropriate for planting along street frontages.
- Shade Tree – includes those trees which will produce the most shade.
- Specimen Tree – Tree species with unique qualities that make them suitable for individual viewing.

Plant Uses in the Landscape

Large Trees (Over 40 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Acer platanoides</i> Norway Maple			4	4		4	4	4
<i>Acer rubrum</i> Red or Swamp Maple			4	4		4	4	4
<i>Acer saccharum</i> Sugar Maple			4			4	4	4
<i>Catalpa speciosa</i> Northern Catalpa							4	4
<i>Celtis occidentalis</i> Common Hackberry			4	4			4	4
<i>Celtis laevigata</i> Sugar Hackberry			4	4			4	4
<i>Cercidiphyllum japonicum</i> Katsura Tree			4	4			4	4
<i>Chamaecyparis pisifera</i> Sawara False Cypress		4						4
<i>Fagus spp.</i> Beech							4	4
<i>Fraxinus spp.</i> Ash			4	4		4	4	4
<i>Ginkgo biloba</i> Ginkgo or Maidenhair Tree			4	4		4	4	4
<i>Gleditsia triacanthos</i> Honeylocust			4	4		4	4	4

Large Trees (Over 40 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Gymnocladus dioica</i> Kentucky Coffeetree			4	4			4	4
<i>Larix</i> spp. Larch			4	4			4	4
<i>Liquidambar styraciflua</i> Sweet Gum							4	4
<i>Nyssa sylvatica</i> Sour Gum or Black Gum			4	4			4	4
<i>Picea abies</i> Norway Spruce		4						4
<i>Plantanus occidentalis</i> Planetree or Sycamore							4	4
<i>Pseudotsuga menziesii</i> Douglas Fir		4						4
<i>Quercus</i> spp. Oak						4	4	4
<i>Taxodium distichum</i> Bald Cypress		4				4		4
<i>Tilia</i> spp. Linden			4	4		4	4	4
<i>Zelkova serrata</i> Japanese Zelkova			4	4		4	4	4

Medium Trees (26 to 40 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Abies concolor</i> White Fir		4						4
<i>Acer campestre</i> Hedge Maple		4	4		4	4	4	4
<i>Aesculus x carnea</i> Red Horse Chestnut			4	4		4	4	4
<i>Aesculus glabra</i> Ohio Buckeye					4		4	4
<i>Aesculus hippocastanum</i> Common Horse chestnut			4	4		4	4	4
<i>Betula</i> Birch			4					4
<i>Carpinus betulus</i> European Hornbeam			4	4		4	4	4
<i>Carpinus caroliniana</i> American Hornbeam or Ironwood			4		4		4	4
<i>Chamaecyparis lawsoniana</i> Lawson False Cypress		4				4		4
<i>Chamaecyparis obtusa</i> Hinoko False Cypress		4						4
<i>Chionanthus virginicus</i> Fringetree			4		4		4	4
<i>Cladrastis lutea</i> Yellowwood			4				4	4

Medium Trees (26 to 40 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Diospyros virginiana</i> Common Persimmon							4	4
<i>Koeleruteria paniculata</i> Golden Rain Tree			4		4		4	4
<i>Maackia amurensis</i> Amur Maackia			4			4	4	4
<i>Ostrya virginiana</i> Hop Hornbeam or Ironwood			4	4			4	4
<i>Phellodendron amurense</i> Amur Corktree			4		4		4	4
<i>Picea oregonica</i> Serbian Spruce		4						4
<i>Picea pungens</i> Colorado Spruce		4						4
<i>Pinus sylvestris</i> Scotch Pine		4						4
<i>Pyrus calleryana</i> Callery Pear			4	4		4	4	4
<i>Sophora japonica</i> Japanese Pagoda or Chinese Scholar Tree			4	4			4	4
<i>Tsuga canadensis</i> Canada Hemlock		4						4
<i>Ulmus parvifolia</i> Chinese Elm			4	4		4	4	4

Small Trees (13 to 25 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Acer ginnala</i> Amur Maple			4	4	4			4
<i>Acer palmatum</i> Japanese Maple								4
<i>Acer tataricum</i> Tatarian Maple			4	4	4	4		4
<i>Alnus glutinosa</i> European or Black Alder			4	4			4	4
<i>Amenlanchier</i> Serviceberry, Juneberry or Shadblow			4					4
<i>Cercis canadensis</i> Eastern Redbud					4			4
<i>Cornus florida</i> Flowering Dogwood					4			4
<i>Cotinus coggynia</i> Smoke Tree					4			4
<i>Crataegus crus-galli</i> Cockspur Hawthorn		4			4			4
<i>Crataegus phaenopyrum</i> Washington Hawthorn			4		4			4
<i>Crataegus viridis</i> Green Hawthorn			4	4	4			4

Small Trees (13 to 25 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Magnolia X loebneri</i> Lebner Magnolia								4
<i>Magnolia X soulangiana</i> Saucer Magnolia					4			4
<i>Magnolia stellata</i> Star Magnolia					4			4
<i>Malus cultivars</i> Crabapple					4			4
<i>Malus sargentii</i> Sargent Crabapple					4			4
<i>Prunus x blireiana</i> Purple-leaved Plum		4	4		4			
<i>Prunus serrulata</i> Japanese Flowering Cherry			4		4			4
<i>Syringa reticulata</i> Japanese Tree Lilac			4	4	4	4		4

Large Shrubs (Over 13 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Hamamelis</i> Witchhazel		4	4		4			4
<i>Juniperus scopulorum</i> Rocky Mountain Juniper		4	4		4			
<i>Juniperus communis</i> Common Juniper		4	4	4	4			
<i>Lindera benzoin</i> Spicebush		4	4		4			
<i>Taxus cuspidata</i> Japanese Yew		4	4	4				
<i>Taxus x media</i> Anglo-Japanese Yew		4	4	4				
<i>Thuja occidentalis</i> American or Eastern Arborvitae, White Cedar		4	4					
<i>Viburnum lantana</i> Wayfaring Tree		4	4		4	4		
<i>Viburnum prunifolium</i> Black Haw		4	4		4	4		
<i>Viburnum sieboldii</i> Siebold Viburnum		4	4		4			

Medium Shrubs (6 ½ to 12 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Acanthopanax sieboldianus</i> Fiveleaf Aralia		4	4	4	4			
<i>Calycanthus floridus</i> Carolina allspice		4	4		4			4
<i>Cornus alba</i> Tatarian Dogwood		4	4		4			
<i>Cornus mas</i> Cornelian Cherry		4	4		4			4
<i>Cornus sericea</i> Red Osier Dogwood	4		4		4			
<i>Elaeagnus umbellata</i> Autumn Olive		4	4		4			
<i>Forsythia x intermedia</i> Border Forsythia	4		4		4			4
<i>Hamamelis vernalis</i> Vernal Witchhazel		4	4		4			4
<i>Hibiscus syriacus</i> Rose-of-Sharon		4	4		4			
<i>Hydrangea quercifolia</i> Oak Leaf Hydrangea	4		4		4			4
<i>Ilex verticillata</i> Winterberry		4	4	4	4			
<i>Kolkwitzia amabilis</i> Beautybush		4	4		4			4
<i>Philadelphus</i> Mockorange		4	4		4			4
<i>Prunus x cistena</i> Purpleleaf Sand Cherry		4	4	4	4			

Medium Shrubs (6 ½ to 12 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Spirea prunifolia</i> Bridalwreath Spirea	4		4		4			4
<i>Syringa</i> Lilac		4	4		4			4
<i>Viburnum x burkwoodii</i> Burkwood Viburnum	4		4	4	4			4
<i>Viburnum dentatum</i> Arrowwood	4		4	4	4			
<i>Viburnum dilatatum</i> Linden Viburnum	4		4	4	4			
<i>Viburnum opulus</i> European Cranberrybush		4	4		4			
<i>Viburnum plicatum</i> Doublefile Viburnum		4	4		4			4
<i>Viburnum x</i> <i>rhytidophylloides</i> Lantanaphyllum Viburnum		4	4		4			
<i>Abelia x grandiflora</i> Glossy Abelia	4		4	4	4			4
<i>Prunus x cistena</i> Purpleleaf Sand Cherry			4		4			

Small Shrubs (3 to 6 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Berberis thunbergii</i> Japanese Barberry	4		4	4	4			
<i>Buddleia davidii</i> Orange-Eye Butterfly Bush	4				4			4
<i>Chaenomeles speciosa</i> Flowering Quince	4		4	4	4			
<i>Deutzia gracilis</i> Slender Deutzia	4		4	4	4			4
<i>Euonymus alata</i> <i>compactus</i> Dwarf Burning Bush	4		4	4	4			
<i>Ilex x meserveae</i> Meserveae Holly	4		4	4	4			4
<i>Kerria japonica</i> Japanese Kerria	4		4	4	4			
<i>Ligustrum obtusifolium</i> Border privet	4		4	4	4			
<i>Ligustrum x vicaryi</i> Golden Privet	4		4		4			

Small Shrubs (3 to 6 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Myrica pensylvanica</i> Bayberry	4		4	4	4			
<i>Picea glauca</i> "conica" Dwarf Alberta Spruce					4			4
<i>Pinus mugos</i> Mugho Pine	4		4	4	4			
<i>Prunus glandulosa</i> Dwarf Flowering Almond					4			
<i>Rhododendron PJM</i> hybrids PJM Rhododendrons			4		4			4
<i>Rhus aromatica Gro-Lo</i> Gro-Lo Fragrant Sumac	4		4		4			
<i>Syringa patula</i> Miss Kim Lilac	4		4		4			
<i>Taxus</i> Yews	4	4	4	4	4			
<i>Thuja occidentalis</i> "Woodwardi" Globe Arborvitae	4		4		4			
<i>Viburnum opulus</i> "Nanum" Dwarf Cranberrybush	4		4	4	4			
<i>Vites agnus-castus</i> Chaste Tree			4		4			4

Dwarf Shrubs (1 ½ to 3 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Buxus microphylla</i> Littleleaf Boxwood	4		4	4	4			
<i>Chamaecyparis obtusa</i> Dwarf Cultivars	4		4	4	4			4
<i>Chamaecyparis pisifera</i> Dwarf cultivars	4		4	4	4			4
<i>Cotoneaster apiculatus</i> Cranberry Cotoneaster			4	4	4			
<i>Cotoneaster horizontalis</i> Rockspray Cotoneaster			4	4	4			
<i>Deutzia gracilis</i> <i>Slender Deutzia</i>	4		4	4	4			
<i>Fothergilla gardenii</i> Dwarf Fothergilla			4	4	4			4
<i>Hemerocallis cultivars</i> Daylily			4	4	4			
<i>Ilex glabra "compacta"</i> Compact Inkberry	4		4	4	4			
<i>Juniperus chinensis</i> Nick's Compact Juniper	4		4	4	4			
<i>Juniperus chinensis</i> "San Jose" San Jose Juniper			4	4	4			

Dwarf Shrubs (1 ½ to 3 Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Juniperus communis</i> Common Juniper			4	4	4			
<i>Juniperus conferta</i> Shore Juniper			4	4	4			
<i>Juniperus procumbens</i> Japanese Garden Juniper			4	4	4			
<i>Juniperus sabina</i> "Broadmoor" Savin Juniper	4		4	4	4			
<i>Polygonum cuspidatum</i> Low Japanese Fleece Flower					4			
<i>Potentilla fruticosa</i> Bush Cinquefoil	4		4	4	4			
<i>Rosa-floribundai</i> Floribunda Roses			4	4	4			
<i>Spirea x bumalda</i> "Anthony Waterer" Anthony Waterer Spirea			4	4	4			
<i>Symphoricarpos x</i> <i>chenaultii</i> Chenault Coralberry	4		4	4	4			
<i>Taxus baccata</i> Dwarf English Yew	4		4	4	4			4
<i>Tsuga canadensis</i> Dwarf Canada Hemlock	4		4	4	4			4
<i>Yucca filamentosa</i> Yucca or Adam's Needle			4	4	4			

Ground Covers (Less than 1 ½ Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Aegopodium podagraria</i> Bishops weed or Gout weed			4	4	4			
<i>Ajuga</i> Carpet Bugle/Bugleweed			4	4	4			
<i>Arundinaria variegata</i> Dwarf Whitestripe Bamboo			4		4			
<i>Comptonia peregrina</i> Sweet Fern			4		4			
<i>Convallaria majalis</i> Lily of the Valley			4		4			
<i>Cotoneaster dammeri</i> Bearberry cotoneaster			4	4	4			
<i>Epimedium</i> Barrenwort			4		4			
<i>Galium odoratum</i> Sweet Woodruff			4		4			
<i>Hedera helix</i> "Thorndale" Baltic or Thorndale English Ivy			4	4	4			
<i>Hostas</i> Plantain Lily			4		4			
<i>Hypericum calycinum</i> Aaronsbeard St. John's Wort			4	4	4			

Ground Covers (Less than 1 ½ Feet Tall)

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Juniperus horizontalis</i> Blue Rug Juniper			4	4	4			
<i>Liriope spicata</i> Creeping Lilyturf or Liriope			4	4	4			
<i>Pachysandra terminalis</i> Japanese Spurge			4		4			
<i>Rosa Wichuraiana</i> Memorial Rose			4	4	4			
<i>Vinca minor</i> Common Periwinkle			4		4			

Vines and Climbers

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Actinidia arguta</i> Bower Actinidia		4						
<i>Akebia quinata</i> Fiveleaf Akebia		4						
<i>Campsis radicans</i> Trumpet Creeper or Trumpetvine		4						
<i>Celastrus scandens</i> American Bittersweet		4						
<i>Clematis</i> Clematis		4						
<i>Hedera helix</i> English Ivy		4						
<i>Hydrangea anomala</i> Climbing Hydrangea		4						
<i>Lonicera</i> Vine Honeysuckle		4						
<i>Parthenocissus</i> <i>quinquefolia</i> Virginia Creeper		4						
<i>Parthenocissus</i> <i>tricuspidata</i> Boston Ivy		4						

Vines and Climbers

Scientific Name Common Name	Screen (3' to 6' high)	Screen (>6' high)	Parking Area (perimeter)	Parking Area (interior)	Under Utility Lines	Street Tree	Shade Tree	Specimen
<i>Polygonum aubertii</i> China or Silver Fleecevine		4						
<i>Rosa wichuraiana</i> Memorial Rose		4						
<i>Wisteria</i> Japanese or Chinese Wisteria		4						

LIGHTING STANDARDS

Chapter 7

Outdoor Lighting Standards

WC 16.07.010 General Provisions

A. Purpose and Intent.

Westfield-Washington Township wishes to enhance the visual environment of the nighttime sky, protect the public health, safety and welfare, provide safe roadway conditions for motorists, cyclists, and pedestrians, and promote energy efficient, cost effective lighting while minimizing light pollution, intrusion and trespass from uncontrolled light sources. It is the intent of this Chapter to minimize the intrusion of lighting across property lines and into the nighttime sky, thereby avoiding a disruption to the quality of life of Washington Township residents.

B. Applicability.

These regulations shall be applicable to all outdoor lighting sources within Westfield-Washington Township, which:

1. Are newly designed, constructed, erected or placed into operation after the effective date of this chapter; and
2. Require the relocation or replacement of existing lighting fixtures commenced after the effective date of this chapter.

C. Exceptions.

Exceptions to these lighting standards shall include the following:

1. All outdoor light fixtures permitted prior to the adoption of these regulations (Ord. 02-39, December 9, 2002) shall be exempt from the shielding requirements of this chapter, except that when an outdoor light fixture becomes inoperable, the replacement light fixture shall comply with the standards of this chapter;
2. All hazard warning lighting required by Federal and State regulatory agencies shall be exempt from the requirements of this chapter;
3. All temporary emergency lighting required by local law enforcement, emergency service and utility department(s), shall be exempt from the requirements of this chapter;
4. All traffic control and directional lighting shall be exempt from the requirements of this chapter;

5. All underwater lighting used for the illumination of swimming pools and water features shall be exempt from the lamp type and shielding standards of this chapter;
6. All lighting for temporary festivals and carnivals shall be exempt from the requirements of this chapter; and
7. All low wattage residential accent and landscape lighting fixtures having a maximum output of 1600 lumens (equal to one 100 watt incandescent light) per fixture shall be exempt from the requirements of this chapter.

D. Prohibitions.

Prohibitions to the lighting standards of these regulations shall include the following:

1. The installation, sale, lease, or purchase of any mercury vapor lamp shall be prohibited in Westfield-Washington Township;
2. The use of laser source light or other similar high intensity light for outdoor advertising, when projected above the horizontal shall be prohibited in Westfield-Washington Township;
3. The operation of searchlights and floodlights for advertising purposes shall be prohibited in Westfield-Washington Township;
4. The use of any lighting source on towers shall be prohibited except as required by the Federal Aviation Administration; and
5. The illumination of off-site advertising signs shall be prohibited in Westfield-Washington Township.

E. General Lighting Standards.

For all areas located in Westfield-Washington Township the following standards shall apply:

1. All light fixtures shall be fully shielded and direct light downward toward the earth's surface;
2. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights-of-way;
3. All lighting sources shall be positioned in such a manner as to direct light away from adjacent property and public rights-of-way;

4. Light pole height shall not exceed twenty-five feet (25'). All parking area light fixtures shall be designed and located to confine emitted light to the parking area; and
5. All lighting fixtures must meet building code requirements for their appropriate construction class;

F. Multi-Family Residential, Commercial and Industrial Standards.

For all multi-family residential, commercial, and industrial uses the following standards shall apply:

1. All light fixtures shall be positioned in such a manner so that no light-emitting surface is visible from a residential area or public right-of-way when viewed at ground level;
2. Light meter readings shall not exceed: one-half (0.5) foot-candles at a single-family residential property line, or one-half a (0.5) foot-candle at a multi-family residential property line or one (1.0) foot-candle at all other non-residential property lines. (It should be understood that, with all of these measurements, light will still be visible at or beyond property lines.)
3. All lights on poles, stands, or mounted on a building shall have a shield, adjustable reflector, and non-protruding diffuser;
4. All canopy structures shall have lights with diffusers which are recessed, and which do not extend below the surface of the canopy as measured on a plane parallel to the earth's surface;
5. Lighting under awnings and canopies shall only illuminate a building front, a sign under an awning or canopy, or the sidewalk, but shall not illuminate the awning or canopy itself;
6. Thirty (30) percent of all parking area lighting shall be turned off within 30 minutes of closing of the last business or no later than 11:00 p.m.; and
7. No outdoor sports or recreational facilities shall be illuminated after 11:00 p.m. except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.

G. Sign Lighting.

1. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on top of or above the sign structure and shall comply with the shielding requirements of this chapter;

2. Lighting fixtures used to illuminate ground mounted or monument signs may be illuminated with a ground mounted or bottom mounted lighting fixture, provided that the fixture is fully shielded and all light output is directed onto the sign surface.
3. No sign lighting shall pulse, rotate, blink, flash or simulate motion, except a display containing only the time and temperature; and
4. Lamps utilized for the internal illumination of wall signs shall be turned off at 11:00 p.m. or when business closes.

H. Lighting Plans.

The applicant for any permit required by Westfield-Washington Township that proposes outdoor lighting shall submit a lighting plan set which includes:

1. A site plan indicating the location of all lighting structures, supports and fixtures, including those fixtures which presently exist on site and those which are proposed for the site;
2. A graphic and/or textual description of all lighting fixtures, both proposed and existing on-site. The description may include, but is not limited to cut sheets and illustrations by the manufacture, lamp types, wattages, and lumen outputs;
3. A site plan with illuminance levels superimposed on the site plan in the form of an iso foot-candle diagram or point-by-point grid diagram.
4. All plot lighting levels shall be depicted at 10-foot intervals or less.
5. The iso foot-candle diagram shall plot foot-candle increments of one-half (0.5) foot-candle or less;
6. Photometric data depicting the angle of cut off of light emissions; and
7. Any other information that the Planning Director determines necessary to ensure compliance with the provisions of this chapter.

WC 16.08.010 Sign Standards - General Provisions

A. Purpose and Intent.

Westfield-Washington Township wishes to establish sign regulations for the design, placement, and maintenance of signs in Washington Township which provide a reasonable and impartial means to permit communication, protect the public health, safety, and general welfare, minimize hazards to pedestrians and motorists along thoroughfares and at intersections, enhance the aesthetic environment of Westfield-Washington Township, safeguard property values, minimize possible adverse effects of signs on nearby property, protect public and private investment in buildings and open spaces and implement relevant provisions of the comprehensive plan as updated on an annual basis.

Westfield Washington Township wishes to balance the rights of businesses to identify themselves with the rights of the public to have uncluttered, safe and attractive public rights-of-way. The responsible regulation of signs will foster business opportunities and improve the quality of life in Westfield-Washington Township.

B. Applicability.

These regulations shall be applicable to all signs within Westfield-Washington Township, which:

1. Are newly constructed, erected, or placed into operation after the effective date of this chapter; and
2. Involve relocation or replacement of existing sign structures or supports commenced after the effective date of this chapter.

C. Exceptions.

All signs require a sign permit from the Community Development Department. Exceptions to the sign standards and permit requirements under this chapter shall include:

1. All regulatory, informational, identification, or directional signs required by law or government entity;
2. Temporary signs advertising annual events put on by Westfield or Washington Township public entities and school districts;
3. Scoreboards for public and private recreational facilities and institutions that do not provide for commercial or business advertising displays;
4. Permanent drive-thru menu boards where drive-thru uses are permitted;
5. Window signage placed upon the building interior, or flush with window surface, not covering more than 50 percent of the window upon which it is placed.
6. Postal signs, historic site makers or plaques, flags of government or noncommercial institutions, gravestones, and address numbers;
7. Structures and/or containers intended for separate use such as phone booths, waste management containers, and point-of-purchase advertising displays;

8. Lettering or symbols placed directly onto a licensed and operable motor vehicle or trailer operating in the normal course of business provided that a vehicle or trailer is not parked or positioned solely for advertising purposes;
9. Private informational signs such as “no trespass,” “private,” “sale,” etc. which do not exceed four (4) square feet in surface area;
10. Signs offering residential property for sale, lease, or rent, provided that such signs shall not exceed eight (8) square feet per face, are placed wholly on the subject property and are limited to a maximum of one (1) sign per street frontage;
11. Signs offering commercial or industrial property for sale, lease, or rent, provided that such signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, and are limited to a maximum of one (1) sign per street frontage;
12. Signs advertising construction projects, provided that such signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, are limited to a maximum of one (1) sign per street frontage, and shall be removed at the end of construction;
13. Political signs which do not impair lines of sight for vehicles or pedestrians; and
14. Seasonal decorations within the appropriate holiday season or civic festival season.

D. Prohibitions.

Prohibitions to these sign standards shall include the following:

1. No signs or sign structure shall be similar in coloring, shape, function or location nor resemble, conflict with or be confused with any approved traffic-control sign or device;
2. No sign shall create a safety hazard for vehicles or pedestrians as determined by the Town Engineer;
3. No sign shall be placed in any public right-of-way except publicly owned traffic-control and transit signs, informational, identification, directional signs, and temporary and event signs per WC 16.08.010 M;
4. No pole signs shall be permitted within Westfield-Washington Township (See Pole Sign in definitions);
5. No off-premise sign shall be permitted within Westfield-Washington Township except temporary and event signs per WC 16.08.010 M;
6. No display of temporary signs such as banners, flags, posters, pennants, ribbons, streamers, spinners, strings of lights, balloons or inflatable signs shall be permitted except for banners permitted on a limited basis pursuant to Section WC 16.08.010 L;
7. No sign shall project into the public right-of-way; except that a business sign mounted on a building may be permitted to project eighteen (18) inches from the face of a building elevation. Relief from this standard may be granted by the Town Council or designee;
8. No sign shall be mounted on a roof or extend above an eave or parapet of a building wall;
9. No sign shall be permitted to revolve, flash, blink, swing or appear to move;
10. No sign shall be affixed to trees, fence posts, utility poles or other support structures; and
11. No sign shall be placed on a personal or commercial vehicle or trailer which is then parked or positioned for the primary purpose of displaying the said sign.

E. General Sign Regulations.

All signs shall conform to the following regulations:

1. Signs must be kept clean, painted, in working operation and free of hazards, such as but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in a safe condition so as not to be detrimental to the public health, safety or general welfare;
2. Abandoned sign copy shall be removed by the owner or lessee of a site upon which the sign is located within three (3) months after the business or service advertised by the sign ceases operations;
3. Sign foundations and structures with copy removed may remain upon a site for twenty-four (24) months with the property owner's written consent provide that the foundations and structure are maintained pursuant to WC 16.08.010 E, 1.
4. All monument signs shall be designed and located to maintain clear lines of sight along public rights-of-way;
5. Maximum sign height shall be measured from the natural grade elevation upon which the sign is placed or crown height of the adjacent roadway, whichever is higher;
6. Illumination of signs shall be regulated per Section WC 16.07 of the Westfield-Washington Township Zoning Ordinance;
7. Illuminated signs shall be setback a minimum distance of twenty-five (25) feet from any residential district;
8. In no instance shall a permitted nonresidential use or tenant be restricted to less than twenty-five (25) square feet -of sign area, nor shall any permitted nonresidential use or tenant be permitted to display more than five (500) hundred square feet of sign area;
9. Sign area shall be computed as the smallest continuous rectangular figure that circumscribes a single sign display including writing, representations, emblems, logos or other displays, exclusive of the supporting framework, base, or structural bracing clearly incidental to the sign display;
10. In no instance shall wall sign square footage exceed the linear footage of the wall on which it is placed (See "Linear Footage, Wall" in Definitions);
11. Changeable copy signage shall be allowed only when incorporated into a permanent sign structure as allowed by this ordinance; and,
12. For signage with changeable copy area, the entire changeable copy area shall be counted toward sign display area square footage, regardless of the amount of information placed upon the changeable copy area.
13. Identification with the Town of Westfield. Title signs shall include, as an integral part of the sign design, the words "of Westfield" following any designation of an industrial park, office park, apartment development, subdivision development or shopping center name and alike. The size of the words "of Westfield" shall be a minimum of 50% of the size of the development's name on the sign, and shall not be counted toward square footage allowed or cost. If the word "Westfield" is already part of the development's name on the sign, there shall be no requirement for the location of the words "of Westfield" on the sign. Further, where "of Westfield" is required on a sign, the design and material used to include this wording shall be the same as the other lettering on the sign.

14. Reverse channel letters may be used for signage in accordance with the following:
 - a. Reverse channel letters shall be illuminated in accordance with WC 16.07.010, G., 3.
 - b. Individually mounted letters may be used; however, if the letters are mounted on a track, then the track shall be the same color as the background building material on which the track is mounted.

F. Residential District Signs.

No sign shall be erected in a residential district except for the following:

1. Residential complexes and subdivisions shall be permitted either of the following entrance signage options:
 - a. One (1) monument sign per residential complex or subdivision entrance, which shall not exceed nine (9) feet in height, and shall not exceed thirty-two (32) square feet per sign face; or,
 - b. Two (2) separate sign display areas per entrance, provided that the sign display areas are directly incorporated into an entrance landscape feature, wall, or other decorative feature. In no instance shall the sign display area exceed fifteen (15) feet in height or total more than one hundred (100) square feet of sign area.
2. Home occupations shall be permitted one (1) sign per residence which shall not exceed 4 square feet in total sign area; and
3. Home occupation signs shall only be affixed to a wall or door of the structure containing the business.
4. Permitted non-residential uses located in residential districts shall be allowed signage as per 16.08.010 (G) below.
5. Signs allowed per WC 16.08.010 K and WC 16.08.010 M.

G. Individual Nonresidential Signs.

All individual nonresidential uses shall be permitted signage as detailed below, unless otherwise permitted in this chapter. Outlots of nonresidential centers are NOT considered individual uses, and are permitted signage as detailed in 16.08.010 (I).

1. Sign Area Allocation:
 - a. For all permitted individual nonresidential uses, total sign area allocation permitted shall be one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way; and,
 - b. The total permitted sign area allocation may be divided between monument, wall, awning, and projecting signs (projecting signs permitted in Downtown Center only).
2. Monument Signs:
 - a. A maximum of one (1) monument sign shall be permitted for each public street frontage per lot in all zoning districts;
 - b. Monument signs may have a maximum sign display area of sixty (60) square feet per sign face;
 - c. Monument sign display area may have a maximum height dimension of six (6) feet and a maximum width dimension of twelve (12) feet;

- d. Monument signs may have a maximum sign height of nine (9) feet only when incorporating a sign base and sign cap features;
 - e. Monument signs incorporating a cap or base shall have a minimum base height of six (6) inches, a maximum base height of twenty-four (24) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed three (3) feet; and,
 - f. Sign caps and bases shall not be used for sign display or advertising purposes.
3. Setbacks:
- a. All signs shall conform to the side and rear yard setback requirements for structures as set forth in Chapter 20.07 of this zoning ordinance; and
 - b. Signs shall have a minimum front yard or right-of-way setback requirement of five (5) feet from a property line or right-of-way.

H. Downtown Center.

The Local Business Historical District (LB-H) shall be regulated per Section WC 16.08.010, (G) of the Westfield-Washington Township Zoning Ordinance. In addition to these sign standards the following sign type is also permitted within the Downtown Center:

- 1. Projecting signs which do not exceed sixteen (16) square feet per sign face.
- 2. Signs allowed per WC 16.08.010 K and WC 16.08.010 M.

I. Nonresidential Center Signs.

All nonresidential centers shall be permitted signage as detailed below, unless otherwise permitted in this chapter.

- 1. A sign plan shall be submitted for a nonresidential center prior to receiving the first sign permit for the center or its tenants. Sign plan must include the following:
 - a. Site plan, to scale, depicting the location of all nonresidential center signage;
 - b. Building elevation, to scale, depicting the approximate location of all wall, awning and under-canopy signage;
 - c. Description of uniform lighting method (for example: reverse channel, channel, panel, exterior above, or exterior below lighting);
 - d. Description of landscaping for all monument signs.
- 2. *Monument Sign(s) (Center Only):*
 - a. Size:
 - i. Nonresidential centers less than 25,000 building square feet in size shall be permitted one monument sign per nonresidential center, which shall be no greater than nine (9) feet in height and have no more than sixty (60) square feet of sign area per face;
 - ii. Nonresidential centers which range in size from 25,000 building square feet to one hundred thousand (100,000) building square feet shall be permitted one monument sign per nonresidential center, which shall be no greater than fifteen

- (15) feet in height and have no more than one hundred and twenty (120) square feet of sign area per face;
- iii. Nonresidential centers greater than one hundred thousand (100,000) building square feet shall be permitted one monument sign per nonresidential center, which shall be no greater than twenty-five (25) feet in height and have no more than two hundred and fifty (250) square feet of sign area per face;
- b. Nonresidential center monument signs shall have a minimum base height of six (6) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed six (6) feet; and,
- c. Sign caps and bases shall not be used for display or advertising purposes.
- 3. *Entrance Sign(s) (Center Only):*
 - a. In addition to a nonresidential monument sign, a nonresidential center shall be permitted one (1) entrance sign per point of ingress; and,
 - b. Nonresidential center entrance signs shall be limited to a maximum of six (6) feet in height, a sign area of thirty (30) square feet per sign face, and shall not contain tenant information.
- 4. *Interior Circulation Sign(s) (Center Only):*
 - a. Nonresidential centers are permitted interior circulation signage containing traffic directing information only (such as “Enter”, “Exit”, “Do Not Enter”, etc.). Circulation signage shall be limited to a maximum of three (3) feet in height, and a sign area of two (2) square feet per sign face.
- 5. *Center In-Line Tenant Signage:*
 - a. All in-line tenants of nonresidential centers shall be permitted one (1) square foot of signage for each linear foot of tenant space front façade (See “Front Façade” in Definitions);
 - b. Corner in-line tenants shall have only one (1) front façade, that being the façade with the primary public entrance.
 - c. The total permitted sign area allocation may be divided between wall and awning signs;
 - d. Wall signs in nonresidential centers shall be located on the front façade except that those tenants with corner locations are permitted to place signage on a side wall; and,
 - e. Any side wall sign square footage shall be deducted from the total sign allocation for the tenant space;
 - f. Center in-line tenants shall not be permitted individual monument signs.
- 6. *Two-Story, Multi-Tenant Signage:*
 - a. *Ground Floor In-Line Tenant Signage:*
 - i. All ground floor in-line tenants of two-story, multi-tenant structures shall be regulated per Section WC 16.08.010 (I5) of the Westfield-Washington Township Zoning Ordinance;
 - ii. Ground floor in-line tenant signs shall be located on a building façade and shall not be located higher than twenty-six (26) feet, from grade;
 - iii. Ground floor in-line tenants shall not be permitted individual monument signs;

b. Second Floor Tenant Signage:

- i. The sign area allotment shall be calculated at the rate of 0.35 square foot of signage for each linear foot of the front building elevation;
- ii. Each two-story, multi-tenant structure shall be permitted second-floor tenant signage using the following chart:

<i>Linear Feet of Front Building Elevation</i>	<i>Number of Signs Allowed</i>
0-199 feet	1
200-399 feet	2
400 feet or greater	3

- iii. No tenant shall be permitted more than one (1) sign on the front building elevation
- iv. All second floor tenant signs shall be located no less than twenty-six (26) feet above grade on the front building elevation;
- v. The total permitted second floor sign area allocation may be divided between wall and awning signs;
- vi. Second floor tenant signs shall be located on the front building elevation;
- vii. Each patron entrance for second floor tenants is permitted one (1) wall directory sign OR one (1) ground directory sign AND one (1) building identification sign

(a) Directory Signs:

(i) General:

1. Directory signs shall be located within fifteen (15) feet of the patron entrance for second floor tenants;
2. Directory signs shall not be illuminated;
3. Directory signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J).

(ii) Wall Directory Signs:

1. Wall directory signs shall not exceed four (4) square feet in size;
2. Wall directory signs shall not be located more than five (5) feet above grade;

(iii) Ground Directory Signs:

1. Ground directory signs shall not exceed six (6) square feet per face;
2. Ground directory signs shall not exceed five (5) feet in height from grade;

(b) Building Identification Signs

(i) General:

1. One (1) building identification sign is permitted per patron entrance.
2. Building identification signs shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance;
3. Building identification signs shall not include tenant information;
4. Building identification signs shall not be illuminated;
5. Building identification signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);

(ii) Building Identification Signs on a Canopy:

1. Shall not exceed twelve (12) inches in height;
2. Shall not exceed twelve (12) feet in length;

3. Channel letters and sign panels are prohibited from use on building identification signs on a canopy;
 4. Reverse channel letters are permitted;
 - (iii) Other Building Identification Signs:
 1. Shall not exceed six (6) inches in height;
 2. Shall not exceed six (6) feet in length or the width of the patron entrance doorway, whichever is less;
 3. Building identification signs shall not protrude from the building façade;
 - a. Channel letters, reverse channel letters, and sign panels are prohibited from use on building identification signs;
 - b. Transom window signs are permitted and may exceed the provision found in WC 16.08.010 (C5).
 - viii. Second Floor Tenant signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);
 - ix. Second floor tenants shall not be permitted individual monument signs.
7. Multi-Story, Multi-Tenant Signage (Three Stories or More):
- a. Ground Floor In-Line Tenant Signage:
 - i. All ground floor in-line tenants of two-story, multi-tenant structures shall be regulated per Section WC 16.08.010 (I5) of the Westfield-Washington Township Zoning Ordinance;
 - ii. Ground floor in-line tenant signs shall be located on a building façade and shall not be located higher than twenty-six (26), from grade;
 - iii. Ground floor in-line tenants shall not be permitted individual monument signs;
 - b. Upper Floor Tenant Signage:
 - i. Second Floor Tenant signage, as defined per WC 16.08.010 (I5b), is prohibited on structures three or more stories;
 - ii. Each multi-story, multi-tenant structure shall be permitted one (1) wall sign per each building façade that is adjacent to a public right-of-way;
 - iii. The sign-area allotment shall be calculated at the rate of one percent (1%) of the building façade square footage, including fenestration;
 - iv. Upper Floor Tenants signs shall be located at the top edge of the building façade;
 - v. Each patron entrance for second floor tenants is permitted one (1) wall directory sign OR one (1) ground directory sign AND one (1) building identification sign
 - (a) Directory Signs:
 - (i) General:
 1. Directory signs shall be located within fifteen (15) feet of the patron entrance for second floor tenants;
 2. Directory signs shall not be illuminated;
 3. Directory signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J).
 - (ii) Wall Directory Signs:
 1. Wall directory signs shall not exceed four (4) square feet in size;
 2. Wall directory signs shall not be located more than five (5) feet above grade;

(iii) Ground Directory Signs:

1. Ground directory signs shall not exceed six (6) square feet per face;
2. Ground directory signs shall not exceed five (5) feet in height from grade;

(b) Building Identification Signs

(i) General:

1. One (1) building identification sign is permitted per patron entrance.
2. Building identification signs shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance;
3. Building identification signs shall not include tenant information;
4. Building identification signs shall not be illuminated;
5. Building identification signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);

(ii) Building Identification Signs on a Canopy:

1. Shall not exceed twelve (12) inches in height;
2. Shall not exceed twelve (12) feet in length;
3. Channel letters and sign panels are prohibited from use on building identification signs on a canopy;
4. Reverse channel letters are permitted;

(iii) Other Building Identification Signs:

1. Shall not exceed six (6) inches in height;
2. Shall not exceed six (6) feet in length or the width of the patron entrance doorway, whichever is less;
3. Building identification signs shall not protrude from the building façade;
 - a. Channel letters, reverse channel letters, and sign panels are prohibited from use on building identification signs;
 - b. Transom window signs are permitted and may exceed the provision found in WC 16.08.010 (C5).

vi. Upper Floor Tenant signage is not eligible for the sign area bonuses provisions found in WC 16.08.010 (J);

vii. Upper floor tenants shall not be permitted individual monument signs.

8. Outlot Signage:

- a. All outlots of nonresidential centers shall be permitted one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way;
- b. The total permitted sign area allocation may be divided between wall, awning, and under canopy signs;
- c. Signs may be located on any building elevation; and,
- d. All sign square footage shall be deducted from the total sign allocation for the outlot;
- e. Outlots within a nonresidential center shall not be permitted monument signs.

J. Sign Area Bonus.

The total sign allotment for an individual nonresidential use, tenant, or a nonresidential center may be increased by a specified percentage for compliance with design criteria as listed below. Percentage increases shall be based on the original sign allotment calculation. If more than one criterion is met, then sign area bonuses will be granted cumulatively.

The sign area allotment bonus provisions found in this section (WC 16.08.010 (J)) shall not apply to Second-Floor Tenant signage (WC 16.08.010 (I6b)), Upper-Floor signage (WC 16.08.010 (I7b)), or Building Identification signage (WC 16.08.010, (I6b,vii,b) and (WC 16.08.010, (I7b,v,b)).

1. Sign Area Allotment Bonuses:

- a. Sign Number: A five (5%) percent sign area allotment bonus shall be granted for limiting the total number of signs to three (3) or less;
- b. Where monument signs are permitted, a ten (10%) percent sign area allotment bonus shall be granted for not having a monument sign.
- c. Alternative Materials. A ten (10%) sign area allotment bonus shall be granted when all signage on site is primarily comprised of decorative wood, sculpted metal, or equivalent substitutes. This bonus is also available on a Tenant/Outlot basis in Nonresidential Centers.
- d. Nonresidential Center Sign Plan. A ten (10%) percent sign area allotment bonus shall be granted if a uniform and complimentary sign plan is mandated for all signage on site, including center, tenant, and outlot signage. A sign plan must address colors and materials and be approved by the Community Development Director prior to the issuance of individual permanent sign permits for tenants and outlots.

2. Wall Sign Bonuses:

- a. Individual Letters. A ten (10%) percent wall sign area bonus shall be granted for individual nonresidential uses, tenants, or outlots whose wall signs consist only of individual letters mounted directly on a building surface.

3. Monument Signs:

- a. Materials. A ten (10%) percent monument sign area bonus shall be granted for using brick, stone or equivalent substitute in the construction of a sign base, cap and supporting structure.
- b. Matching Materials. A ten (10%) percent monument sign area bonus shall be granted if over fifty (50%) percent of the sign base, cap, and supporting structure matches the building materials used on a front elevation of the building(s).
- c. Landscaping. A ten (10%) percent monument sign area bonus shall be granted for landscaping the area around a base of a monument sign. Refer to Section 16.06.010 of the Zoning Ordinance for landscaping details.

K. Sandwich Board Signs.

Sandwich board signs shall conform to the following regulations:

1. General:

- a. The placement of sandwich board signs shall not impede pedestrian or vehicular traffic;
- b. Sandwich board signs shall not exceed six (6) square feet per sign face;
- c. Sandwich board sign width shall not exceed three and one-half (3.5) feet when measured from the outside of a sign support and/or sign face;
- d. Sign height shall not exceed five (5) feet when measured from the ground to the top of a sign face or sign support structure;

- e. Sandwich board signs shall have a base support and the base support shall be weighted with a minimum ten (10) pound ballast to ensure sign stability;
- f. Sandwich board signs shall not be permanently affixed to any structure or sidewalk;
- g. Placement of sandwich board signs in a public right-of-way shall require approval by the Westfield Town Council, or designee;
- h. More than two (2) sign violations of this ordinance in one calendar year shall result in the termination of the sandwich board sign permit and require removal of the sandwich board for that calendar year;
- i. A permit must be obtained from the Community Development Department.

2. Residential Districts:

- a. One (1) sandwich board sign shall be permitted per entrance from a public right-of-way per subdivision;
- b. Sandwich board signs advertising subdivision events may be placed in the common area adjacent to the subdivision entrance from a public right-of-way;
- c. Signs shall be posted for no more than seven (7) consecutive days.

3. Commercial Districts:

- a. One (1) sandwich board sign shall be permitted per individual commercial or business use;
- b. Sandwich board signs shall not count toward the total sign allotment for a commercial use or business;
- c. Sandwich board sign faces shall be constructed of a chalk board type material or equivalent substitute which permits the application of any identification, message or information with a non-permanent type of text, design or logo;
- d. Signs must be removed at the end of each business day;
- e. Signs shall only be placed within 10 feet of, and directly in front of, a business façade having a public entrance. See the graphic below:



L. Under Canopy Signs.

Under canopy signs shall only be permitted in commercial zoning districts and shall conform to the following regulations:

- 1. Under canopy signs shall be placed under canopies or roof overhangs.
- 2. Under canopy signs shall not count toward the total sign allotment for a commercial use or business;

3. Under canopy signs shall not exceed one (1) per building entrance;
4. Under canopy signs shall not exceed three (3) square feet in area;
5. Under canopy signs shall not be separately illuminated; and,
6. Under canopy signs shall contain only the address, logo, or name of the occupant or business served by the entrance.

M. Temporary and Special Event Signs.

Temporary and special event signs shall be permitted as detailed below:

1. General:
 - a. Businesses located in commercial and industrial districts are not permitted to advertise in residential districts;
 - b. Any sign placed on utility poles, traffic lights, traffic signals, street signs, fire hydrants, trash receptacles, benches, trees, or other publicly-owned items will be removed by the Town.
 - c. Any permitted temporary and special event sign determined by the Town to be a detriment to the public health, safety, and general welfare of the community will be removed by the Town.
2. Nonresidential Districts:
 - a. New businesses, seasonal businesses, grand openings, or special events may display a banner that does not exceed 32 square feet in size, and is securely attached to a structure or rigid support device(s), such as poles, rods, stakes or fences.
 - b. Application must be made, and a temporary sign permit issued PRIOR to the display of temporary signage.
 - c. All temporary signs shall be placed on the property on which the permitted use is being conducted;
 - d. Temporary sign permits shall be limited to a maximum of fifteen (15) consecutive calendar days per quarter;
 - e. The allotted fifteen (15) consecutive calendar days per quarter may be divided into smaller, nonconsecutive segments, as granted by the Town Council or designee; and,
 - f. Temporary sign permits may be issued for a calendar year or renewed on a quarterly basis at the Community Development Department.
3. Residential Districts:
 - a. Permitted uses within residential districts may display signs that do not exceed three (3) square feet in size, three (3) feet in height, and are secured to a rigid support device(s), such as poles, rods, stakes or fences.
 - b. Application must be made, and a temporary sign permit issued PRIOR to the display of temporary signage.
 - c. One (1) temporary sign may be placed in the public right of way at the subdivision entrance, at the base of the street identifier sign;
 - d. Up to three (3) other signs may be used on private property with the permission of the property owners;

- e. Temporary sign permits shall be limited to seven (7) consecutive calendar days per quarter. Permission to exceed the seven (7) consecutive calendar day period must be obtained from the Town Council, or designee, PRIOR to the display of signage, and;
- f. Temporary sign permits may be issued or renewed on a quarterly basis at the Community Development Department.

N. Nonconforming Signs.

All existing signs which do not conform to this section are designated lawfully nonconforming and shall either be removed or brought into compliance with these regulations at such a time when new development or expansion is proposed, or when a change in signage is proposed for the property upon which the sign is located. Lawful nonconforming signs shall not be relocated, expanded, or altered except to permit routine maintenance and repairs. In no case shall the replacement of individual tenant name panels on a non-residential center sign constitute the need to bring the non-residential center sign into compliance with these sign regulations.

O. Permits.

After the effective date of the ordinance codified in this title, and except as otherwise provided, no person shall erect any sign as defined herein without first obtaining a sign permit from the Community Development Department. The Community Development Department Director and his/her designated staff shall have the authority to review and decide upon all sign permit applications. Signs which shall not require a permit include all signs or displays permitted in Section 16.08.010 C, Exceptions. Application for a permit shall be made in writing, upon forms prescribed and approved by the Director and shall contain the following information:

1. Name, address, and telephone number of applicant or business;
2. Site address;
3. Graphic scale;
4. A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;
5. A site plan indicating the location of any existing or proposed monument signs;
6. A square footage calculation of any proposed sign(s), as well as the location and square footage of all existing on-site sign(s);
7. Elevation of proposed signs including size, materials, color and dimensions;
8. A true color rendering of the proposed signs;
9. Illumination details for proposed signs, including the timing of sign illumination and method of control of such illumination;
10. Indication of sign type(s) as defined in this chapter;
11. Written consent of the owner of the building, structure, or land on which the sign is to be erected if the applicant is not the owner; and
12. Temporary and special event sign displays shall provide a schedule for sign displays which indicate the dates and duration of the sign displays.

13. Any other information necessary to support a thorough review of the project and as requested in writing by the Director

All applications for permits shall be accompanied by payment of fees. The fee schedule shall be kept on file in the Community Development Department. If the proposed sign plan is in compliance with all the requirements of this zoning ordinance, a permit shall be issued.

P. Violations and Enforcement.

The Director is authorized to enforce all provisions of this chapter. Violations of this Ordinance shall be subject to the enforcement remedies and penalties provided by this Ordinance, by other Town ordinances, and by state law. Remedies of the Town shall include

1. The Director shall advise the owner of the sign, business, building, structure or premise in writing of a violation of this chapter and specify a date for compliance which shall not exceed thirty (30) days;
2. The written notice shall describe the violation, appeal process, and enforcement provisions including penalties that may be assessed;
3. Issuing a stop work order for any and all work on any signs on a site;
4. Seeking an injunction or other restraint that requires the removal of the sign or correction of the nonconformity;
5. Imposing civil penalties in accordance with the following schedule:
 - a. \$50 for the first day of the violation;
 - b. \$100 for the second day of the violation;
 - c. \$250 for the third day of the violation; and
 - d. \$500 a day each day thereafter that violation continues; and
6. And other remedies provided for or allowed by state law or Town Codes.

WC 16.08.100 Administration and Penalties.

Enforcement - The Community Development Director is hereby authorized and directed to enforce all of the provisions of this ordinance. Upon presentation of proper credentials, the Building Commissioner and Planner or his duly authorized representative may enter at reasonable times any building, structure or premises in the Town of Westfield and Washington Township to perform any duty imposed upon him by this ordinance.

Interpretation - Where there is any ambiguity or dispute concerning the interpretation of this ordinance, the decision of the Building Commissioner and Planner shall prevail subject to appeal as provided herein.

Right of Appeal - Any person aggrieved by any decision or order of the Building Commissioner and Planner may appeal to the Board of Zoning Appeals. The Building Commissioner and Planner shall take no further action on the matter pending the Board's decision, except for unsafe signs which present an immediate and serious danger to the public, as provided elsewhere in this ordinance.

WC 16.08.110 Amendments.

All amendments to this ordinance shall be in conformance with IC 18-7-5-39, IC 18-7-5-40, IC 18-7-5-41, IC 18-7-5-42 and IC 18-7-5-44, and all acts amendatory thereto.

WC 16.08.120 Validity.

If any title, article, section, clause, paragraph, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other title, article, section, clause, paragraph, provision or portion of this ordinance.

WC 16.08.130 Adoption.

This ordinance shall be in full force and effect from and after this passage.

Passed by the Board of Trustees of the Town of Westfield, Indiana, on the 20th day of December, 19??.

Amended by the City Council of the City of Westfield, Indiana, on the 10th day of December, 2007.

Westfield City Council

President

ATTEST:

Clerk- Treasurer

